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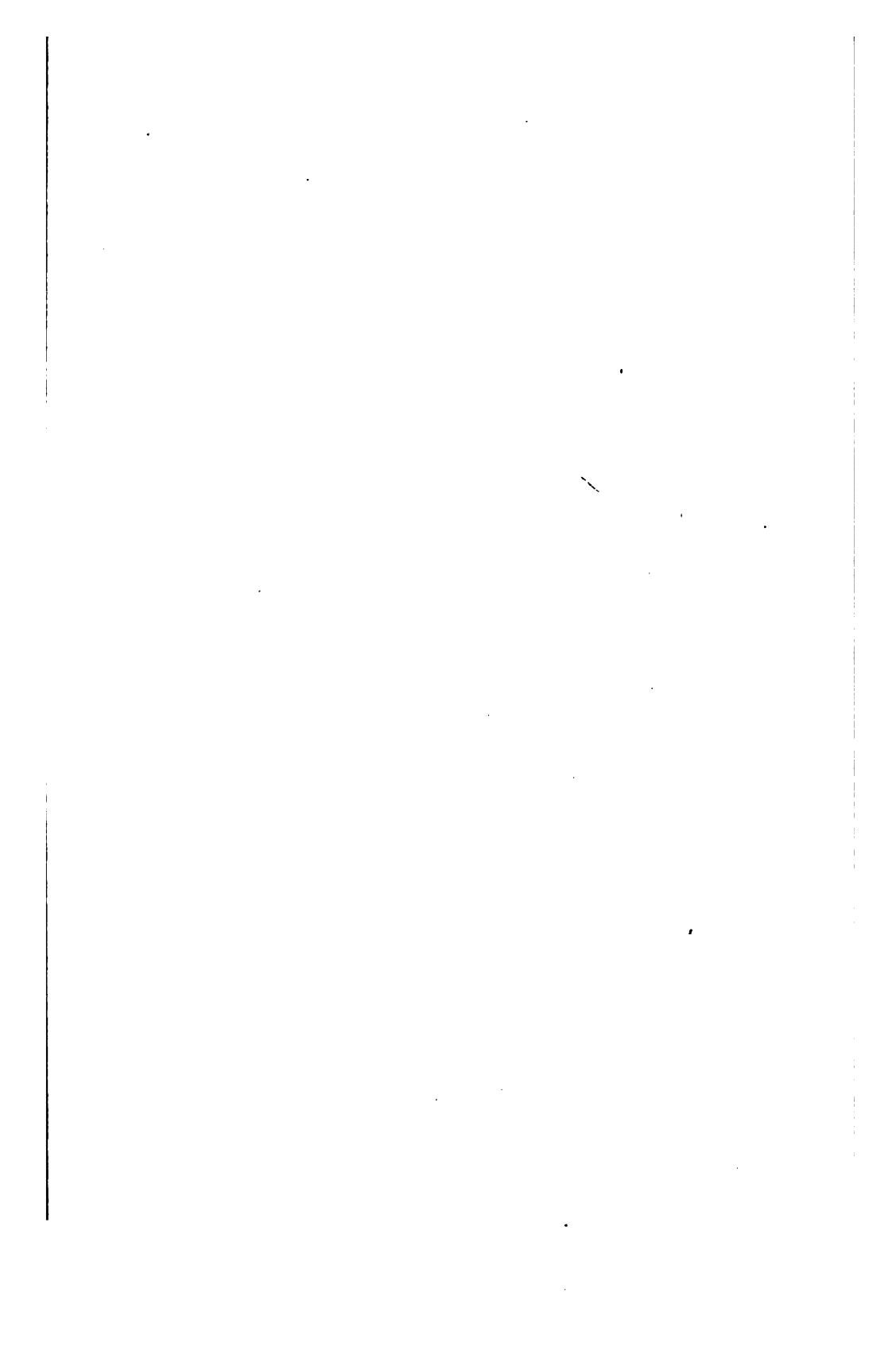
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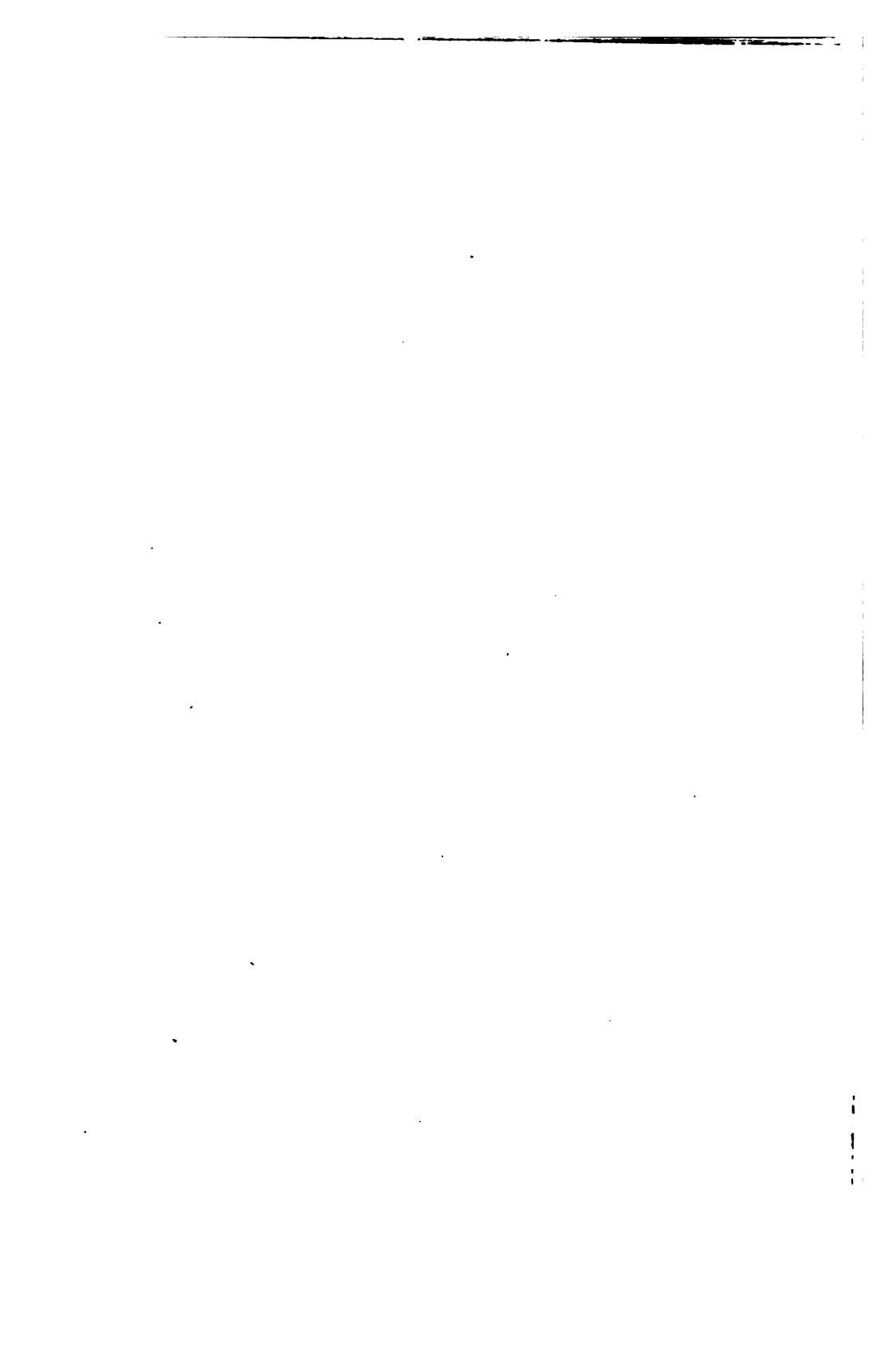
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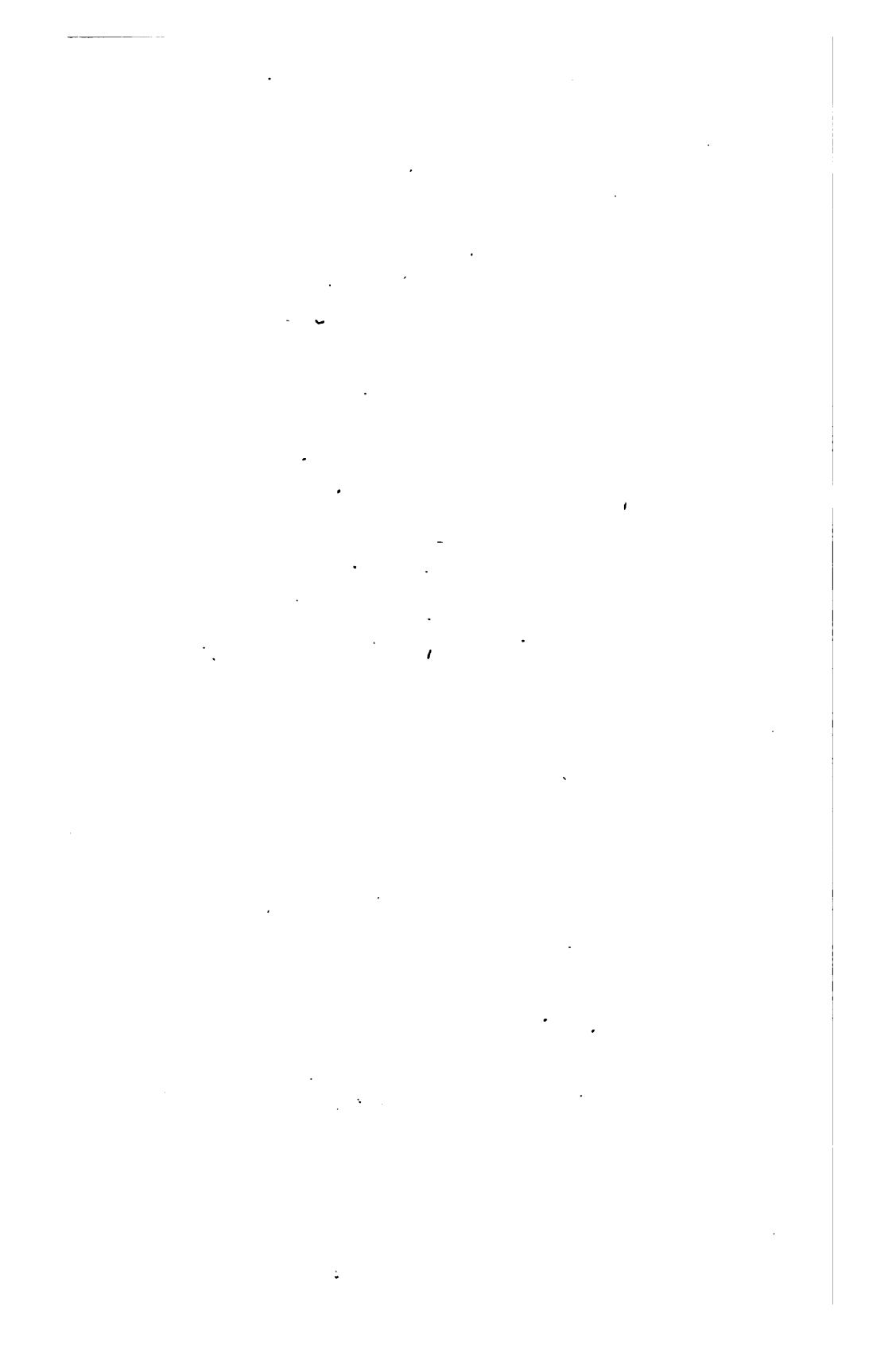
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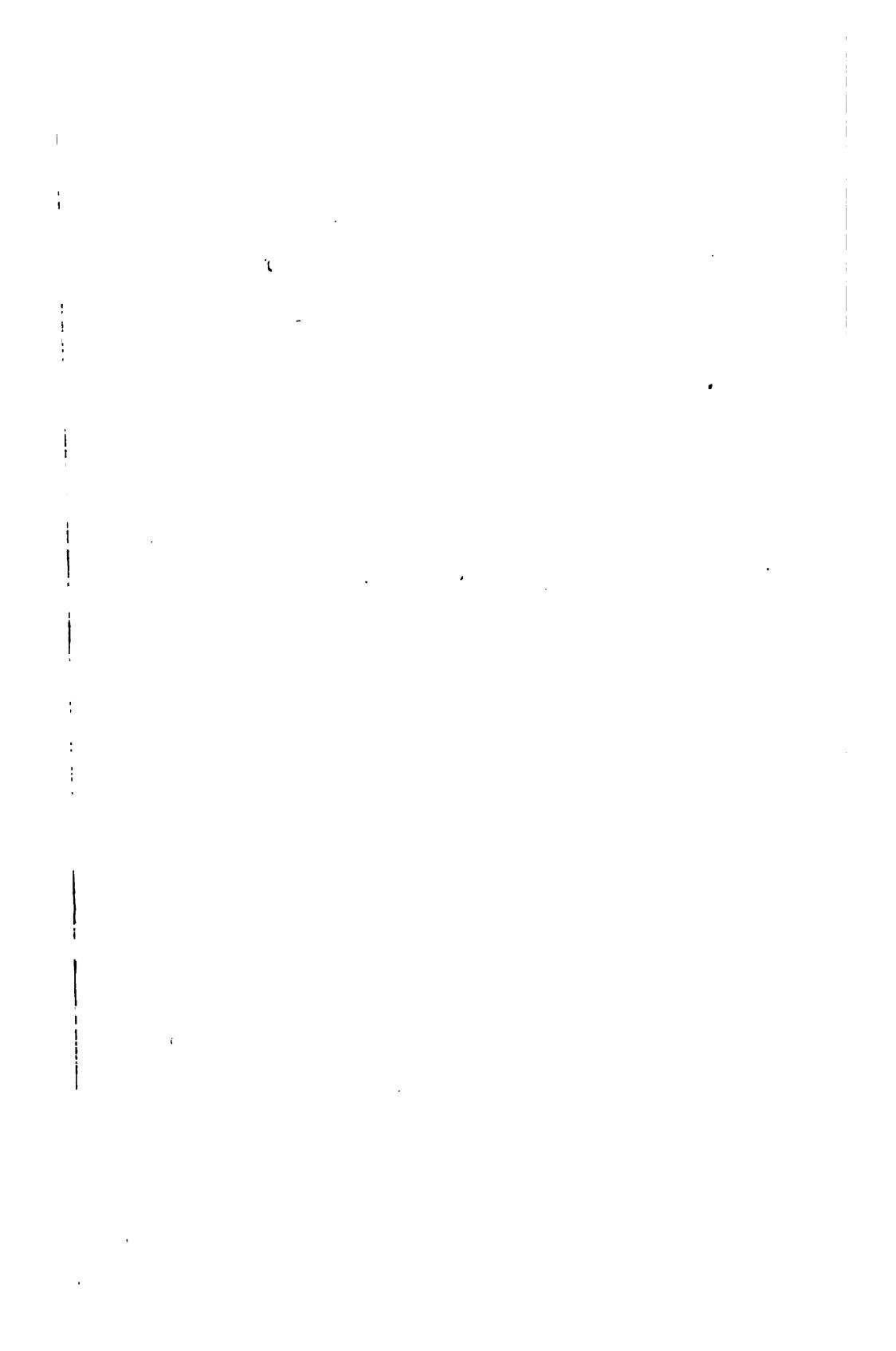


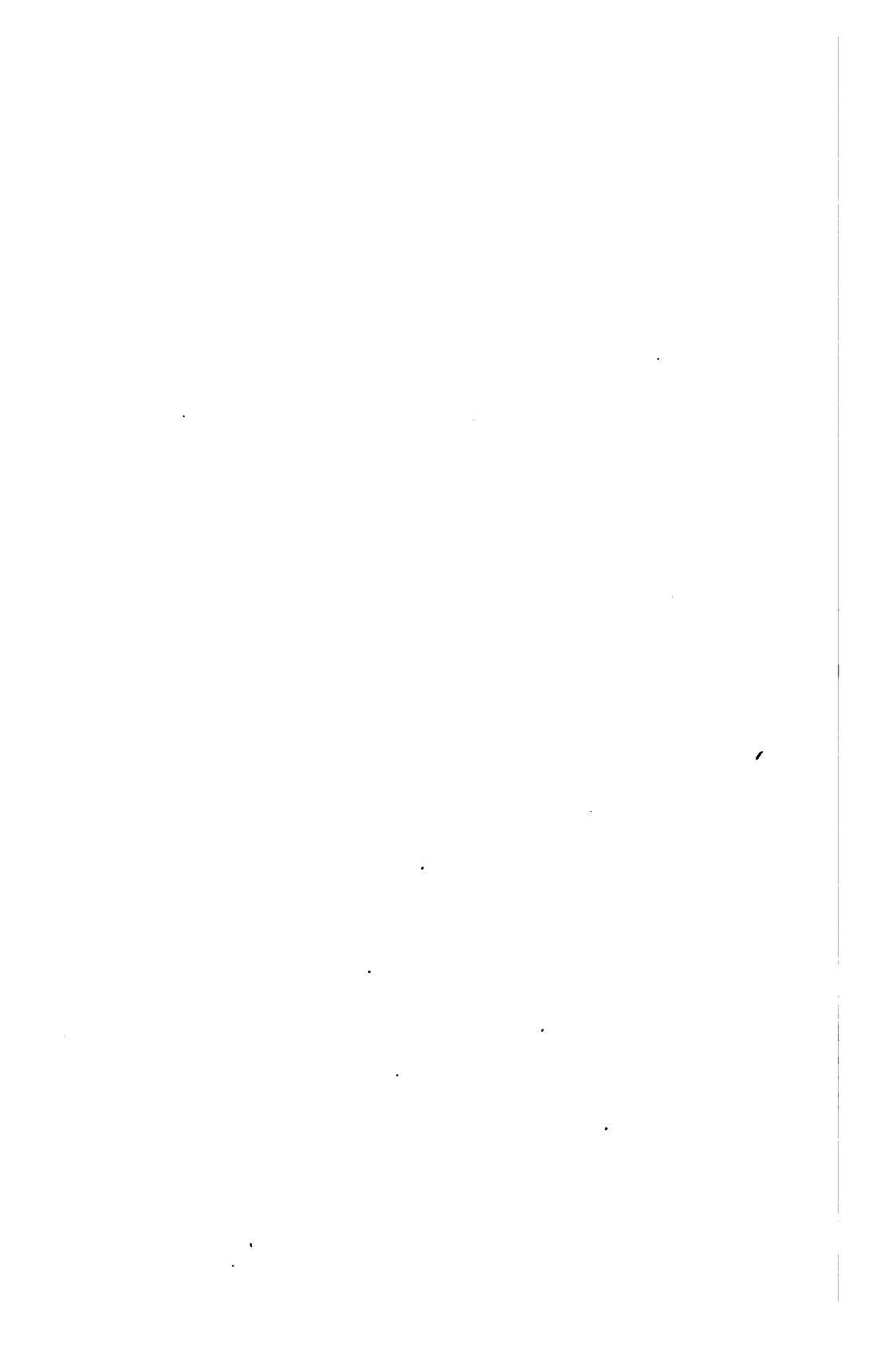












THE GROWTH  
OF  
ENGLISH INDUSTRY  
AND  
COMMERCE  
DURING THE EARLY AND MIDDLE AGES.

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THE GROWTH  
OF  
ENGLISH INDUSTRY  
AND  
COMMERCE

DURING THE EARLY AND MIDDLE AGES.

vol. I

BY

W. CUNNINGHAM, D.D.

VICAR OF S. MARY'S THE GREAT, UNIVERSITY LECTUREE, AND LECTURER  
IN TRINITY COLLEGE, CAMBRIDGE.



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## PREFACE.

THE present volume is the first instalment of the second edition of my *Growth of English Industry and Commerce*, published in 1882. It might almost be issued as a new book, for it contains more than twice as much matter as the corresponding portion of the first edition, and during successive vacations the whole has been completely recast. But though the scope is thus enlarged, the purpose and plan of the book is not altered, and can be best described in sentences which formed part of the original preface.

'In the following pages I have endeavoured to give such an account of the growth of English industry and commerce as may be easily followed by readers who are but slightly acquainted with the history of the country, and who have no knowledge of Political Economy; in the notes will be found matter of more importance for students, as they contain, not only full references to the authorities used, but brief discussions of disputed points, and allusions to interesting analogies in the experience of other peoples. To introduce more than a passing reference to such matters might distract attention from the *continuity* which exists between the earliest and the latest stages of our national life, and from the *interdependence* between our industrial and our political history.

'The narrative is a simple relation of facts, interrupted only by such explanations of economic terms as seemed absolutely necessary ; but it has not been forgotten that the spread or prevalence of some idea or aspiration may be a fact of the first importance. Only by being fully alive to the ordinary tone of morality and opinion in industrial matters at each stage of our history, can we really understand the nature of the customs and institutions of bygone days.'

The last eight years have been marked by extraordinary activity in the investigation of the economic history of England. The publications of the *Pipe Roll Society*, of the *Selden Society*, of the *Domesday Committee*, and the papers read at the *Anglo-Jewish Exhibition* have shed an immense amount of light on various difficult problems ; while the writings of Mr Seebohm and Dr Gross mark an epoch in the progress of our knowledge of rural and of municipal life<sup>1</sup>. I would desire to give the fullest expression here of my indebtedness to these and other authors, since my obligations to them for pointing out sources of information, which I afterwards examined at first hand, have not been acknowledged in detail. I have also had the advantage of talking over many points with Professor Maitland, Professor Middleton, Professor Ridgeway, Dr Gross, Mr Hubert Hall, and Mr J. G. Frazer, and have received valuable suggestions from all of them. Other portions of my book have been submitted to more public criticism at the meetings of the *Royal Historical Society* and at the *Institute of Bankers*. In the correction of the proofs I have been greatly helped by Miss E. Lamond of Girton College, Mr G. Townsend Warner of Jesus College, and Mr Stanley Leathes of Trinity College.

<sup>1</sup> I have been indebted to the kindness of the author and the courtesy of the *Delegates of the Clarendon Press*, for permission to use such portions of his forthcoming *Gild Merchant* as are now complete.

I greatly regret to find myself differing on several points of much importance, from one whose unwearied researches entitle him to the warmest gratitude of all students of English Economic History. But though Professor Thorold Rogers has been assiduous in collecting facts, I feel that he has not always shown himself judicious in interpreting them. If I venture to express disagreement it is because I believe that the plain statement of honest differences of opinion can only lead, sooner or later, to a clearer apprehension of the actual course of affairs<sup>1</sup>. That it should be possible even to raise discussion on fundamental questions, shows how little has yet been done to put our knowledge of this side of English History on a sound basis.

I cannot hope for greater success in the farther prosecution of this study, unless by the systematic adoption of a method of treatment which shall frankly and fully recognise that the economic institutions and ideas of each age are relative to their political and social environment<sup>2</sup>. Whatever worth my own compilation may have, it is due, I am sure, to my endeavour to keep this truth constantly in view. Each of the books, into which this volume is divided, opens with a brief sketch of the political and social conditions during a given period and, after tracing the course of industrial and commercial affairs, closes with an account of the contemporary changes in economic opinion and literature. It has thus been my aim to trace the

<sup>1</sup> The chief points of difference are as follows,—Professor Thorold Rogers appears to me to have fallen into serious error in regard to the purchasing power of silver (see below pp. 300, 486), to have under-rated the numbers of the possible population (p. 304), to have overlooked the evidence which shows that services and not payments were commonly exacted from villeins during the fourteenth and fifteenth centuries (pp. 221, 356, 476), to have post-dated the development of pasture farming at the expense of tillage by a considerable number of years (p. 393) and to have miscalculated the available resources of those fifteenth century labourers and artisans who were not engaged in the manufacture of cloth (p. 898).

<sup>2</sup> Compare J. S. Mill, *Auguste Comte and Positivism*, p. 81.

progress of reflexion on the wealth of nations as well as to delineate the changes in industrial and commercial life. I have been at some pains to indicate clearly the data on which my judgment has been formed, in the hope of furnishing a basis for the work of students in Cambridge and elsewhere, who may thus be enabled to correct, when they do not confirm, the conclusions at which I have arrived.

Some additional details and illustrations are collected in the Appendix. In the documents not hitherto printed which it contains, the italicised portions represent the expansions; only such letters as are written in full have been printed in Roman type. Though this is in some ways a less satisfactory mode of representing the peculiarities of the actual manuscript than the use of Record type, it has been adopted here as slightly more convenient to the general reader.

The tract by Nicholas Oresme is such an interesting example of fourteenth century opinion on political and economic subjects and the older editions are so imperfect, that I have reprinted it in full from the excellent text given by M. Wolowski.

W. CUNNINGHAM.

TRINITY COLLEGE, CAMBRIDGE,  
*Christmas, 1889.*

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## ERRATA.

Page 34, n. 4 and p. 48 n. 3 for *Process* read *Prozess*.  
" 87, n. 1 for *Plans* read *Places*.  
" 115, n. 6 for 1266 read 1308.  
" 120, n. 4 for March 1889 read June 1888.  
" 188, l. 7 for 1248 read 1260.  
" 185, n. 6 for *Thomson* read *Thompson*.  
" 248, l. 28 for *Lilburn* read *Libourne*.  
" 281, n. 1 for *Borroughs* read *Burroughs*.  
" 288, n. 3 for *n* read *M*.  
" 297, n. 3 for *C. P.* read *A. P.*



## INTRODUCTORY ESSAY.

### I. PAST AND PRESENT.

1. EIGHT hundred years have now passed since William *Domesday Book* 1086. of Normandy carried out a great survey of the kingdom he had secured, and embodied the result of his enquiry as to its economic condition in *Domesday Book*. This work stands out as a great monument which plainly records the general character of English life in bygone days, though there is much difficulty in interpreting the details of the information it contains. A very little consideration of its plan and contents serves to bring to light extraordinary contrasts between the past and present, and to show the nature of the difficulties which we must face when we attempt to trace, and to describe, the course which English industrial progress has from that time pursued. One need hardly add that there are additional difficulties in regard to the still earlier ages from which but little accurate information survives.

2. There has been, to begin with the most obvious *Contrasts in the relative importance* difference, an extraordinary change, since the time of the Conqueror, in the relative wealth and importance of different parts of the country. The most casual traveller through England to-day could hardly fail to remark that a very large part of the national industry is concentrated in the northern counties: Lancashire and Yorkshire are occupied by great masses of busy population. The wealth of our coal and iron beds, and the skill we have shown in using these materials, have been important factors in enabling us to secure our present industrial supremacy. These northern counties

where waterpower, as well as coal and iron, is to be found, have attracted to themselves the textile industries for which they afford both mechanism and power on the easiest terms. London is the great emporium of commerce, but the north of England is the workshop of the world. The records of Norman times portray a very different state of affairs. *of different industries,* Neither coal nor iron formed an important item in English industry or trade, and the weaving trade was but little developed<sup>1</sup>. Tin and lead were the chief mineral wealth, and raw wool and hides were the staple articles of trade for many succeeding generations; we had hardly any manufactures to send to foreign markets but we exported raw material for others to work up.

*and different districts.* The staple articles of trade in the Norman times were quite different from those in which we now excel, and the great centres of modern production had not succeeded at that time in attracting any considerable share of the national wealth. York had been an important city in Roman Britain, in some ways more important than London itself,—and Northumbria had been for a time the dominant kingdom in the newly settled England; but the power of the north had begun to wane before the ravages of the Danes, and the rising power of Wessex. The Norman king himself however dealt the blow which destroyed it utterly; King William had harried the North so thoroughly that page after page of the Survey describes how one manor or another, which had been fairly stocked with meat and men in the time of King Edward, was valueless and waste. The lands between the Ribble and the Mersey had not suffered similarly but they were scarcely more populous, and long centuries elapsed before they began to take a leading part in the industrial life of England.

*Contrast in the character of towns* 3. If we confine our attention to any one district and contrast its condition at that time and the present, another series of differences is likely to attract our notice; the striking contrast which we now find between town and country life was then unknown. Our manufacturing towns,

<sup>1</sup> Cloth was obviously an imported article, see below p. 125 n. 4, on London trade; also on Irish merchants, p. 171 n. 2.

with their masses of population, could hardly have been supplied with the necessaries of life in any age when there were few facilities for internal communication; but even the sleepiest country town, with shops containing goods from all parts of the world, would suffice to show the extraordinary change that has taken place. At the time of the great Survey there were hardly any towns, as we understand the term; even in a place like Cambridge<sup>1</sup>, which had a fairly advanced municipal life, the burgesses were engaged in rural pursuits and were bound to supply teams to the Sheriff; and the men of Leicester continued to render predial services till a much later date<sup>2</sup>; the people of the towns were still engaged in agriculture. Again, there were in these towns few if any shops stored with quantities of wares ready for sale. Only to specify two of the commonest classes, there were no grocers' shops, for commerce was too fitful to supply foreign wares by regular trade, and no butchers' shops, for these are a comparatively recent invention even in towns like Aberdeen and Lanark<sup>3</sup>; while the craftsmen would have a comparatively small stock of finished goods and would for the most part execute work to order. Markets there doubtless were in most of the towns, and annual fairs near others; but just because booths, erected on these occasions, sufficed for the greater part of the internal commerce of the country, there was no need for regular shops<sup>4</sup> as we know them to-day.

The primitive character of the towns harmonised with a *and country life.* condition of rural life that differed much from that which we have in the present day; just because the villagers had not learned to depend on town shops for the supply of many commodities, they made more effort to supply themselves. There seems to have been a larger proportion of craftsmen in each village than we should find among the rural population now; each household, or at any rate each little group, had the requisite skill for supplying the main articles of clothing and

<sup>1</sup> *Domesday*, l. 189 a.

<sup>2</sup> See below, p. 201.

<sup>3</sup> Sampson, *History of Advertising*, p. 59.

<sup>4</sup> Shops are frequently mentioned in the *Hundred Rolls*: it appears that the wooden front was made to fold down so as to form a sort of counter. Parker, *Domestic Architecture*, 154.

domestic use, so that the villages were not so purely agricultural as they are to-day, while the townsmen had not entirely severed themselves from rural pursuits; differentiation between town and country was incomplete, indeed it would be more true to say that it had hardly begun.

*Contrasts  
in the  
social  
structure*

*in regard  
to Capital,*

4. The contrasts in regard to the structure of the various industrial groups and the relationships of the persons who composed them, are even more striking than those we have noticed in connexion with the external aspects of society. In every kind of industrial group, urban or rural, we may now distinguish three classes, the landlord who owns the soil where the work proceeds, the employers who supply the capital and the labourers who carry through the actual manual toil. Even in those cases where three classes cannot be distinguished, it is convenient, for the purpose of explaining the process of production and even for understanding the accounts and financial position of any undertaking, to analyse out the factors of Labour, Capital and Land. But though, when we have these distinctions clearly in mind, we may find them in eleventh century society in England, we find them under very different forms; and it is not an exaggeration to say that Capital, as now understood, had no place in the industry of that period. Capital means a store of wealth which can be employed in one direction or another as the prospects of remuneration are more or less favourable; it is part of its very nature that it is fluid; it is continually being expended in tools, materials or wages and replaced by sales, and thus it affords constant opportunities for increased or diminished investment. But though the craftsman of the eleventh century had the few simple tools that were necessary for doing his work, there must have been many cases where he had no stock of materials of his own, but relied on his customer to give the materials or supply money in advance for buying them. While industry was thus conducted, there was no fund which could be used for planting new industries, or calling labour into new directions; stock-in-trade there undoubtedly was, but no Capital as we now use the term.

There were also great differences between Labour, as we

understand it now, and the workers of the time of the Survey. Just as we assume in our ordinary discussions the fluidity of Capital<sup>1</sup> so we are accustomed to take "the fluidity of Labour" for granted and to assume that a man *to Labour* who cannot get remunerative work in one place will go and seek it in another, so that high wages in one district attract labourers to that locality. But at the time of the Survey labour was by no means fluid; partly because a very large proportion of the population were serfs who could not move to other estates or to towns, partly because others had such rights in the land, or at a later date such status in particular towns, that they were unwilling to try their fortunes elsewhere. The labourer, as a man who depended on some employer for the opportunity and means of doing his work, seems to have been almost unknown in the eleventh century.

There were also great differences in regard to land and *Land.* the income which was derived from it. The contrast, which Sir John Phear draws<sup>2</sup> between a Bengali and an English proprietor in the present time, holds good between the English proprietor of eight hundred years ago and his successor now. The rent of the proprietor now is directly connected with the physical character of his estate, its productiveness and its situation. The income of the lord of a *Domesday* Manor depended on the tolls he received, and the payments of his dependents; and thus was based on the way in which his estates were stocked with meat and men, rather than on the physical condition of the land. His income was a very different thing from modern rent.

We may thus see that English Society at the time of the Survey was so different from our own, that the very terms by which we habitually describe the industrial condition of the present day are inapplicable if we wish to analyse the circumstances of these earlier times. Labour, Capital, and Rent have all altered their connotation so much, that we run considerable risk of confusing ourselves if we are satisfied with adopting modern language to describe the period of the *Domesday* Survey. This is perhaps the *The connotation of terms.*

<sup>1</sup> Bagehot, *Economic Studies*, 41.

<sup>2</sup> *The Aryan Village*, 186.

greatest difficulty with which we have to contend; not only have the industry and commerce grown immensely but the very terms in which we habitually describe them, and express our ideas regarding them, have changed their signification as that growth has taken place.

## II. THE SCOPE OF ECONOMIC HISTORY.

*The Body Economic.* 5. While the greatness of the changes which we are about to trace makes the task of examining them difficult, the wide extent of the field which we must survey renders it still harder. In analysing and tabulating the events of any brief period statisticians can separate economic from other phenomena, but in tracing the growth of the different parts of English Society we cannot draw a hard and fast line of separation. The student of morbid anatomy may dissect out the various organs, or describe the alimentary system in itself and with little reference to the nerves, but in the living subject there is no such severance; the alimentary and nervous systems are interconnected, and the process of mastication and digestion would not long continue if the nerves were completely paralysed; if we are discussing the actual operations of life, and the disorders which actually occur, we cannot neglect the interconnexion of the two systems, or treat one fully without an implied recognition of the importance of the other. So too with the constitution and the industrial system of a state. We may separate them in thought or verbally, but they never are and never can be separated in actual life; for purposes of study it may often be convenient to look at them apart, but if we are to understand their working at any one time, still more if we are to understand the changes which have taken place in the course of centuries, we must bear in mind that economic and political circumstances constantly re-act on one another. The forces which are applied to the maintenance and enrichment of the inhabitants of England, have been controlled in very different ways and to very different degrees at various periods of our history; but at each epoch we have had to do,

not with dead matter, but with a living organism ; we cannot comprehend the growth of our industrial system, without an implied recognition of the constitutional changes that were taking place side by side.

Indeed a very few moments' consideration will show us *The inter-connexion of events.* that there is no fact in our nation's history but has some traceable bearing on the industry of the time, and none that we should be justified in ignoring as if it were wholly unconnected with our subject. Wars and Revolutions, Court Intrigues as well as Religious Movements, have all had an industrial side ; they have dissipated wealth, or they have altered the conditions under which wealth was obtained, or the terms on which it was divided, or perhaps they have done all three. Numberless cases might be alleged where trifling incidents have been links in the chain of causes that have produced most marked industrial effects.

There is more need to insist on this interconnexion between industrial and commercial history on the one hand, and the constitutional, dynastic, or any other side of our national story on the other, because the fact seems to be imperfectly recognised in some of our best historical works. The manner of treatment sometimes adopted conveys the impression that facts about industry and commerce can be easily distinguished from the rest, and dealt with in separate chapters ; but this can never be a thorough way of working. We might indeed gather the facts of industry, but not the facts that have a bearing on industry and explain the changes in industry ; and if we wish to understand the real progress we must pay some attention to both.

It might have seemed that by insisting that the sphere of *The sphere of study* our study is so extensive, we are making the task a hopeless one. If such a mass of facts is to be taken into account, how are we to use them, or to hope to obtain conclusions from them ? We shall have to group them in some way, and if our conclusions are to be worth having, we must take great care to marshal the facts wisely. This we cannot do by making an arbitrary selection to start with, but only by *and the grouping of facts.* carefully taking a special point of view, and noting what facts come into prominence when seen from this outlook.

We get very different views of London from the Monument and from S. Paul's; the same buildings lie around us in both cases, but they are differently placed, and what is prominent in one case is half hidden in the other. So we may look at the facts of a nation's history from a constitutional standpoint, and note the bearings of the various events on the growth of the political institutions; many reported occurrences will be of slight, a few will be of striking importance. If we took a dynastic standpoint, and viewed the facts of the same history as bearing on dynastic fortunes, we should find that our attention was called to other facts as the most important; so too from our economic standpoint we still deal with the same recorded facts, but they have a different interest; much that seemed valueless before comes to have a vast importance for us now, while great political struggles may perhaps be disregarded without serious loss. Economic History is not so much the study of a special class of facts, as the study of all the facts of a nation's history from a special point of view. We wish to draw from the records of the past all that bears upon the maintaining and prolonging of human life in any form, whether corporate life in the family or town or nation, or individual existence as a private citizen.

*Political History describes*

6. Nor should we be justified in contending that the special point of view from which we look at these changes is the one which gives us the most important and adequate survey of the national story. Political, moral and industrial changes are clearly interconnected and re-act on one another, but we shall understand the industrial changes most truly if we regard them as subordinate to the others. It is of course true that, if its industrial system is not adequate, a nation cannot continue to be a great moral power as a civilised state, or to hand down monuments of its literary and artistic vigour. Political greatness and high civilisation imply the existence of industrial prosperity, and of sound industrial conditions if they are to be at all stable. But after all, the life is more than meat; each nation takes its place in the history of the world, not merely by its wealth, but by the use that it makes of it; industrial prosperity does not in

itself produce national greatness; political views not only control the application of national wealth, but affect its increase. Industrial progress has often been stimulated by new political aims and conditions. Changes in the <sup>the framework of our industry and commerce at each period.</sup> constitution of society, and in the police and foreign relations of the country, have given an altered framework to which our industry and commerce have time after time been forced to adapt themselves. The marriage of Edward III. with Philippa, the severities of Alva, and the revocation of the Edict of Nantes, had conspicuous results in England; the aims of the Angevins set our towns free to carry on a prosperous trade; the ambitions of later days led to the formation of our colonies and the successful struggle for mercantile supremacy. Economic affairs have indeed modified the course of political events; time after time industrial changes reacted on political life and contributed to great constitutional changes,—when the men of London joined in the demand for *Magna Carta*, when financial changes rendered Charles I. more dependent on parliament than his predecessors had been, or when the industrial revolution and factory system produced a state of affairs in which the First Reform Bill was inevitable. Economic conditions are a factor in such changes; they set before us the special causes of discontent with an existing *régime*, but they never directly determine the nature of the changes that are eventually carried through. Our national polity is not the direct outcome of our economic conditions; whereas time after time, our industrial life has been directly and permanently affected by political affairs, and politics are more important than economics in English History. Industrial changes have been necessarily correlated with changes in the social and political systems; and the framework of society at each period did much to determine the character of the industrial habits and institutions.

7. While the form of industrial institutions has thus <sup>Current morality.</sup> been chiefly determined by political conditions, there have been other influences which have done much to control and modify their actual working. It may be that the traders' conscience has not been very sensitive in any age, and we

hear enough of commercial immorality in our own day, but at no time has it been possible for dealers or others publicly to defy common sense opinion as to right and wrong altogether. Current conviction has controlled with more or less success the manner in which industry and trade have been carried on ; it has found very different organs of expression and been supported by various sanctions. In some cases it made itself felt in the customs of traders who believed that honesty was the best policy ; in others it was enforced by ecclesiastical discipline or royal authority, or by public opinion expressed in an Act of Parliament ; but from the time when usury was discredited to the days when the protection of Factory Acts was given to women and children, it has constantly modified industrial and trading habits. New industrial abuses may have called forth new moral indignation, and some industrial successes have done much to qualify moral judgments ; but on the whole we may see that the current conviction in regard to the morality of certain transactions has greatly affected the conduct of industry and trade in each succeeding generation.

*Human Resources.* 8. We shall have to bear in mind at each epoch then that the economic changes which we trace are changes which occurred in a definite political society and which were influenced by the current views of right and wrong ; these are presupposed in every civilisation ; and they gave the basis of all economic institutions and the atmosphere in which they worked. But this social structure and this civilised life must be sustained ; there are physical needs which must be attended to if the population is to be maintained in health and strength and the government in vigour and power, and these aims can only be accomplished by the application of *Energy and skilful energy and patient foresight*. These are the resources with which individual human beings are able to procure the satisfaction of their wants ; and on the larger scale, industry comes into being or grows, when men, feeling any need, strive to supply it by bringing these resources into play ; these are the factors which are invariably present. The manner of their working, and the forms which they take, will vary very much in different times and places ; the skill

that is required in a nomadic family differs very much *applied* from that of a civil engineer; the forethought of a husbandman can scarcely be compared with that of a railway contractor; yet similar qualities, ability to use natural objects for a given end and willingness to wait for a distant and more or less certain return, are operative in these various cases. The history of industry and commerce is only the story of the various ways in which these human resources have been applied so as to satisfy constantly developing human wants. Every change that has taken place in the manual dexterity of labourers, every mechanical improvement or ingenious discovery by which toil is so saved that one boy can do what fifty men could not have managed before, has given each individual greater ability for the satisfaction of wants. This is a matter of course; but besides the actual *and husbanded.* increase of individual powers, much has been accomplished as civilisation advances by the better husbanding of power: every change which gives a better status to the labourer, and indirectly a greater encouragement to engage or continue in labour, has had a similar effect. We can similarly trace the other factor, patient forethought—willingness to undergo present privation for the hope of future gain. Wealthy peoples and poor differ less in the strength of this feeling<sup>1</sup> than in the opportunities for giving it free play. If the “effective desire of accumulation” produces small results in tropical climates and under tyrannous governments, this may be, not so much because the individual desires are weak, as because the obstacles to be overcome are great. With every increase of security in a country, it becomes more certain that a man will be protected in the enjoyment of the fruits of his labours, and therefore he has more encouragement to work and wait for a future gain; by stable institutions patient forethought may be economised, and a little of it be made to go a long way. From the sixteenth century onwards, the greater transferability of this factor in production becomes noticeable; when it was once embodied in the form of Capital the national forethought could be directed into those channels where it was most remunerative. Still

<sup>1</sup> A. Mitchell, *Past in the Present*, 28, 168—176.

more striking effects both in the husbanding and directing of this agent in production are due to the existence of Credit, which however requires a very stable social system as its first condition. In one way or another, in simpler or more complex forms, these forces have been constantly at work; and the facts which are specially prominent from our point of view are those which show the mode of their operation or the results of their action.

*Limiting conditions.* 9. The success which attends any particular employment of these human resources must largely depend however on physical circumstances; no amount of human forethought and energy will give a country beds of coal and iron or furnish them with a gulf-stream. But it is important to observe that natural advantages do not make a people rich; they can at the best only make an industrious people richer. Natural plenty does not make men rich any more than want makes them industrious<sup>1</sup>; in so far as natural plenty removes the stimulus of want it may almost be an obstacle to progress. The physical conditions of climate and soil determine the direction of industry which shall be most profitable to a given people at a given time; but curiously enough the economic value of the physical characteristics of a country varies greatly at different times. The introduction of ocean steamers has given great importance to certain points as coaling stations, and diminished the value of ports on sailing routes; and so too, many towns have been almost destroyed as centres of trade by the introduction of railways. Britain has been in turn a great corn-growing, wool-growing and coal-producing island; and the changes from one

<sup>1</sup> This is the secret of the difficulty of state encouragement of industry; it is hardly possible to guess how improved conditions will affect the people themselves, but they appear generally to remove an incentive to industry. Sometimes however want does not act as a stimulus to exertion; in some cases long-continued poverty seems to deaden the activities, as is said to be the case with the natives of Harris and other Scotch Isles; elsewhere the habits of the people render them unfitted for the continuous labour of tillage, while they undergo immense privation and long days of unrewarded drudgery in unsuccessful hunting or fishing; or social conditions, such as the class pride of the former conquerors of Bengal (W. W. Hunter *Annals*, p. 137), may prevent them from engaging in remunerative pursuits. In such cases as these there is very great want, but little industry; and we may therefore say that even if want is an essential, it is not the sole condition of industry.

employment to another have been due, not so much to climatic or physical changes, as to the relations of trade in which its inhabitants have stood to other peoples. Perhaps we may say that physical conditions at any given time impose a limit which prevents a nation's industry from developing on certain sides; but that this limit is to be thought of not as absolute, but as relative to the character and intelligence of the men of that time. Again and again the skill which devotes itself to agricultural improvement or the energy which carries on successful trade has enabled the inhabitants of a barren land to maintain a large population, and to pass the limits which nature had seemed to impose, and had imposed for a time, to their further increase. These physical limits must not be neglected, but their influence is not unfrequently overstated; for each step in industrial progress was after all a new illustration of the truth that it is only as he overcomes nature that man can be really said to advance in the arts of life.

10. To follow out the working in our country of these *A succession of* two great factors—energy and foresight,—in the different political and moral conditions of each age, and as limited by the physical obstacles which then opposed themselves,—is to trace the growth of English industry and commerce. But though there has been growth on the whole, there have been long periods when there was but little industrial progress, and some epochs which were marked by disintegration and decay. During any period when there has been little change in the political framework or in the moral and physical conditions which affect the play of human skill and foresight, industrial and commercial practice comes by the force of habit or custom or regulation to assume a definite form. We can easily distinguish several types of industrial *organisations of different types,* organisation which have dominated in turn, which seemed to meet the economic needs of different ages, but each of which has given place, with more or less of social disturbance, to a more vigorous successor. In early times little independent and self-sufficing groups were united in villages, or in large households, where the continued subsistence of the group was the aim of economic administration. Again we find a

*their rise  
and decay.*

different type in the more complicated life of the medieval towns with their organised industry and bitter commercial rivalries, where too the citizens' ambition was not so much directed to the accumulation of much wealth or to rising out of his class, as to attaining an honoured place in his own gild and among men of his own status. Still later there followed the successful attempt to organise the whole industry and commerce of the country in the manner which would contribute most surely to the maintenance of national power, and the mercantile system dominated over private interests. Each of these different types of economic organisms flourished in England; and through changes in the political framework, or through new discoveries and the consequent removal of physical limits, or through changes of moral opinion, or through the combined action of all these causes, each in turn fell into decay and was displaced. The history of English industry is not a sketch of continuous change in any one direction—say of increasing individual freedom,—but of the growth and subsequent decay of a series of different economic organisms, as they were in turn affected by political, moral or physical conditions. It will be our task to try and understand the growth and working of each in turn, and to seek for indications of the precise causes that brought about its decay.

*The effect-  
iveness of  
the later  
forms.*

The story then is not of improvement only, but of growth and decay; the question may be asked whether the later type of industrial organisms is in all respects an improvement on those that went before? Probably in every change in the past there was an admixture of good and evil—as there is in every change now; but from an economic standpoint we cannot hesitate to say that the gain has enormously outweighed the loss. Each newer type of industrial organism superseded its predecessor because it was more vigorous and better adapted to the new conditions of national life; we have powers at our disposal now for providing the necessities and comforts of life such as William the Conqueror never dreamed of when he determined to secure the wealthy realm of England for his own. The stability of our political life and our command over the forces of nature enable us to

organise and utilise labour as never could have been done in bygone days. There can be no doubt as to the effectiveness of the economic instruments now in our hands; hope for the future will urge us to seek to use these instruments better, so that the benefits they confer may be more widely shared, and not to attempt to revert to some less effective type of industrial organism.

At the same time it must be confessed that some writers *Each type was relatively satisfactory.* are inclined to do scant justice to the economic systems of the past; they seem to think that because medieval methods have been superseded, they were always bad, and that because they would be unsuited to our time, they were therefore unsuitable in the days they were actually in vogue. Against such unhistorical judgments, which overlook the relative value of bygone institutions—their value in relation to the circumstances of the time,—it is unnecessary to do more here than utter these few words of protest; the excuse for the modern contempt for things medieval lies in the fact that in so far as the institutions of a past age survive as mere anachronisms they are apt to be either futile or baneful, and that practical men who see these defects are apt to extend their condemnation to the whole social conditions from which Manorial rights, and City Companies, and Usury Laws have remained. To the historical student on the other hand these very survivals may supply valuable evidence, which will help him to solve the problem before him and to understand the working of various bygone institutions, when they were at their best.

11. Great as the changes have been as one economic *Continuity of change* organism was superseded by another, they have always been gradual; we shall have to do with growth and decay, not with sudden creations and wholesale destruction. Rural life is now very different from that eight centuries ago; but year after year the seed has been sown and the harvest reaped, and the people have been fed; industrial processes and trading have been going on all the time, even though there have been constant modifications in their forms from age to age. But we may feel as we look back on them that these changes have on the whole worked in the same direction;

*and increasing complexity in Society;* there has been a growing complexity in our arrangements and greater differentiation in the industrial organism. The severance of employments is being carried farther and farther, and functions which were formerly combined in the persons of craftsmen, are now divided between the capitalist and labouring classes. The increase of the means of communication has enabled particular localities to specialise far more than they could formerly do, and this again has led to the organisation of particular industries on an enormous scale. In every direction there has been increasing differentiation and increasing complexity. This increasing differentiation in society has led to a better understanding of the nature of the factors which serve for the production and distribution of wealth ; there has not only been progress in the effectiveness of industrial instruments but consequent progress in the clearness of economic ideas. While industrial factors were only working on a small scale, and so long as they were closely intercombined in each branch of trade, it was impossible to analyse them clearly ; but with growing complexity of organisation it has become more possible to distinguish the several parts and to name them. The minute description of the different kinds of capital which we find in modern text-books of Economic Science<sup>1</sup> is possible since capital is deliberately applied in many different directions, and with hopes of gain which are looked for in different forms. But till the fifteenth century, though there were many merchants with large capitals, industrial capital hardly existed either in town or country except as the stock in trade of working men. As a fund which could be transferred from one employment to another, or as an industrial factor which was composed of materials, tools and ready money for wages, it could not be recognised till an employing class arose which had the command of capital and used it in industrial pursuits. Similarly, while the tenant gave his labour and seed on the lord's domain in return for the use of a properly stocked holding, or even when he leased the stock along with the land from the owner, it was not possible to distinguish capital as a factor in agricultural success. Till the operation

<sup>1</sup> Marshall's *Economics of Industry*, 19.

of social changes had brought about the modern relation of *Changes in the landowning and tenant classes in England* it was not <sup>practice and in terminology.</sup> possible to form the definite conception of rent which has emerged in modern times. Hence it is that as the industry and commerce of the country have developed, reflection upon them has resulted in a clearer understanding of the ways in which they work ; we have a more accurate terminology, and a better apprehension of the conditions which are necessary for prosperity and for progress. Increased accuracy in economic ideas has followed the development of industry and commerce ; the current use of a new term and the disuse, or perhaps the misuse, of an old one, are most important tests which show some important development in actual life, or mark the process of decay. In the sixteenth century in particular the change in the use of certain terms is very remarkable ; and if we attend to it, we are enabled to realise the extraordinary transformation which was then taking place. A social change may be said to have been completed when it found expression in a new term, or fixed a new connotation on an old one.

12. When we thus aspire to trace out the first beginnings of any economic change, or to get a clear conception of its final result, we must endeavour to treat economic history as something more than a chronicle of new enterprises and discoveries, or even than a summary of statistics of population and prices ; it must include not only the events but the ideas of the time. Among the facts with which we are concerned none are of greater importance than those which show that certain ideas were prevalent at a certain time, or were beginning to spread at a particular date. It is only as we understand the way in which men viewed the dealing and enterprise of their own time, and can thus enter into their schemes of advancement or their aims at progress, that the whole story may come to possess a living interest for us. We may thus see in it all the play of active human powers, and not seem to be merely undertaking the dissection of disinterred remains or the collection and description of curious relics, as if these were ends in themselves. The political framework and the moral and social ideas have

always been an environment for the industrial growth, and the record of events in each age is only completed when we have come to understand how the changes in economic conditions reflected themselves in economic ideas and terminology.

### III. METHOD AND DIVISIONS.

*The method of study differs from those of economic science, since we cannot cross-examine the facts so as to interpret particular phenomena*

13. From what has been noted above it follows that we cannot, in tracing the growth of industry and commerce in their earlier stages, adopt the principles of division which we habitually use in the present day. Before the distinction between town and country emerges we cannot properly treat either of agriculture, industry or commerce apart from one another; still less can we distinguish between labour, capital and land till the structure of society has assumed a comparatively modern type. Both principles of division come to be useful in connexion with the later stages of economic development, but they are not applicable throughout. The mere statement of these preliminary difficulties shows that the method that we pursue in studying the phenomena of the past must be very different from that which is employed by economic science in the present day. Economic science is primarily analytic, severing one class of facts from others, and investigating the different factors which have resulted in, say, a rise of plumbers' wages. But in the earlier condition of society we cannot group our facts thus, and we have far too little information to enable us to "cross-examine the facts"<sup>1</sup> and see what were the important antecedent conditions from which a particular change came forth. It is hard enough to tell whether the depression of prices at the present time is mainly due to the increasing scarcity of gold, to the enormous facilities of production we possess, or to some dislocation, through the imposition of new tariffs, in the commerce of the world. And if it be hard to do this in the present day, it must be still harder to detect the precise influences which brought about the rise of prices in the time

<sup>1</sup> Marshall, *Present Position*, 46.

of Edward VI, or to say how far contemporaries were right in unanimously ascribing it to another factor—the power of dealers to combine and maintain a monopoly in their own interest against the public<sup>1</sup>. While there is so much difficulty in analysing the cause of a well-marked phenomenon in the past, it is still harder to group particular occurrences aright so as to reconstruct a picture of society. Quotations <sup>or recon-</sup> of the prices of each particular article of common use are not <sup>struct a</sup> ~~satisfactory~~ <sup>factory</sup> ~~picture of~~ <sup>society as a whole.</sup> really instructive unless we can form some idea of the quality <sup>factory</sup> ~~picture of~~ of the article supplied at that price<sup>2</sup>; but even if this difficulty <sup>factory</sup> ~~society as a whole.~~ could be met, we cannot construct a satisfactory scheme of the income and expenditure of the fifteenth century labourer unless we know definitely whether he was constantly employed, or whether there were many weeks in the year when he had neither work nor wages<sup>3</sup>. So long as there is much uncertainty about the interpretation of the particular phenomena, we cannot hope to gather from these particulars well-grounded views of the general condition of society. The combination and interaction of causes<sup>4</sup> is the great difficulty with which any student of social phenomena has to contend; but the student of social phenomena in the past must also beware of the danger of accounting for changes in the past by ascribing them to factors which are powerful at the present time, but which have only recently come into operation at all. Economic students who attempt to investigate some epoch of the past by the same analytic method which they habitually apply to the economic phenomena of the present may be led to assign an undue importance to one particular condition,—which may have attracted their attention through the unsuspected influence of some prejudice or because it is markedly operative in modern times. Hence the same facts in economic history have been ascribed by different writers to the influence of opposite causes, and the study has been to some extent discredited from the apparent difficulty of reaching solid conclusions. We can only avoid these dangers by endeavouring to pursue an opposite method;

<sup>1</sup> See below, p. 484.

<sup>2</sup> Denton, *Fifteenth Century*, 171.

<sup>3</sup> Denton, *Fifteenth Century*, 219.

<sup>4</sup> Mill, *Logic*, I. 507.

*We must begin from the general influences and actual forces in each epoch,* we may begin with the political and social environment, with the political and social influences which made themselves plain in politics and literature, and working thus from a knowledge of the environment and of the forces actually in operation at any given time,—we may see how far the reported facts about buying and selling, meat and clothing, working and recreation become intelligible. On this method we may hope that, even if our explanation is not complete and needs to be corrected by being supplemented, it will be sound so far as it goes. We must seek in each age for the light by which to understand how material sources were then applied to maintain and prolong human life.

*so as to avoid serious anachronism.* The chief problems which have to be faced are far less due to want of information than to the difficulty of interpreting the facts which lie to hand; there is a danger of reading modern doctrines into ancient records, and it is most important that we should endeavour to make sure that our explanations are congenial to the spirit of a bygone age; in so far as this can be secured we may at least escape absurd anachronism; while on the other hand, by noting cases where the facts are still unexplained, we may find a direction in which farther investigation of minute detail and the accumulation of new evidence is likely to prove profitable.

*Chrono-logical Division*  
*into periods marked by political changes;* On all these grounds it becomes clear that the main divisions must be historical into different periods of time; and since the growth of industry and commerce is so directly dependent on the framework of society at any one time, it may be most convenient to take periods which are marked out by political and social rather than by economic changes. This will give the most convenient arrangement for setting the various events in a clear light, and thus for obtaining so far as possible a clear picture of the economic conditions of each period, and a clear understanding of the reasons for the changes that ensued. Anything that enables us to realise the actual working of institutions in the past, that helps us to have a vivid conception of them, will be of value; but the chief aim must be to exhibit the conditions under which new industrial or commercial developments were called forth, and which rendered each step in the progress

inevitable. The broad political divisions in our history are sufficiently clear: the accessions of William I., Edward I., Richard II., Henry VII., Elizabeth, James I., William III., mark very distinct crises. In approaching each new period we shall find it desirable to note first of all the economic importance of the phase of political life on which the nation had entered, and then to put in the forefront the effective *the economic forces* force which was guiding economic changes and to trace its influence. Thus royal power after the conquest, legislative action under the Edwards, citizen aims in the fifteenth century, seem to have been the motor forces that came most strikingly into play; it is by watching these powerful factors at work that we get the most convenient clue to the tangled web of the phenomena of early industrial life.

It is far more difficult to apply a precise chronological *and current economic ideas in each.* treatment to the moral and intellectual side of economic life—as the changes must have been so gradual that we can scarcely hope to estimate their extent at any given date; it is in consequence very hard to trace the exact interconnexion between changes of idea and the course of events. If it were possible it would be desirable to set forth at the beginning of each period the aims and ideas which were so generally diffused as to influence action during that period, and by viewing men from the actual experience of their own day to sum up at the end the additional knowledge that had been gained. The preambles of statutes and other documents and the economic literature of each century give us a series of "dated examples" however, and from them we can generally learn what men thought and what they wished, so that we can better apprehend the meaning of what they did.

14. In attempting to carry out this double purpose we *The relative importance of different kinds of evidence.* must rely on evidence of different kinds; though the relation must often be defective through the insufficiency of the information that has come to hand. This is especially true of the earlier periods; while the great difficulty in regard to later times is to make a judicious selection out of the mass of facts that are easily accessible. We must distinguish, however, between different kinds of evidence according as they are of

greater or less weight. It is always important that we should know the precise grounds of an opinion, and be able to judge how far it is well founded, even when the point in question is of very local or limited interest.

*Documents.* I. a. *Documents and Inscriptions.* There may be considerable difficulty in determining whether any document is what it purports to be, but when the critical question is set at rest the evidence it furnishes is indubitable. Statements which are directly borne out by the authority of charters, leases, accounts, &c., may be regarded as unimpeachable. The chief difficulty in using such documents is due to the fact that their direct application is often very limited, and we may make grave mistakes in arguing from them. How far are the conditions of tenure in this lease typical? How far were the prices in this locality exceptional, or do they represent the general range of prices throughout the country? It is thus that descriptions and reasonings we frame may be quite untrustworthy even when they appear to rest on the firmest possible foundation.

*Monu-  
ments.* b. *Monuments.* Considerable knowledge of the state of the arts at any time may sometimes be derived from the monuments and relics that remain. Buildings may show how far the men of a particular age were acquainted with the use of particular materials—stone or wood, or particular principles—the use of the arch; frescoes, tapestries or illuminations may be of the greatest possible use; and coins, jewelry or other articles may help us to picture the manner of life of our forefathers at any particular period and their skill in the working of metals. Here also we must contend with the critical difficulties as to the character and date of monuments or relics, and we may mistake imported for native workmanship; but we have at all events an important source of subsidiary information which may help us to picture different periods of the past more clearly.

*Survivals.* c. *Survivals.* The maintenance of a custom or institution which has come to be a sinecure or an anachronism may also be of great value as evidence; they testify to the existence of a time when society was so constructed that they

discharged some real function. There were many municipal officials in the unreformed burghs of the present century,—haywards, molecatchers, pinders and others—whose existence as municipal officials would be inexplicable if it were not that the town had grown up from a little agricultural village, and that the functionaries who discharged important rural duties, or who were the organs by which the local magnate exercised his control, remain to bear witness of the place in these forgotten times. Even if they discharge no other useful function they testify, by their very existence, to forgotten facts in regard to the origin of the town.

II. *Histories.* These must differ immensely in value, *Histories.* either as sources for description or explanation, according as the author was more or less honest, and more or less well informed. Histories convey far fuller information than the documents we possess, but the impossibility of definitely determining these questions—which hardly arise at all in regard to documents—makes them much less trustworthy. Historians have always had to rely on the information furnished by others: and it is obvious that for many purposes contemporary chroniclers are less likely to be led into error than those who are writing about the distant past, but even the most careful contemporary may be misinformed as to events that occurred in other localities, or as to the reasons which induced a particular course of conduct. It is obvious that while contemporaries are in a far better position than later writers for describing occurrences, they have not such an immense advantage when they try to explain the circumstances which brought about a change, or to estimate its ultimate importance. On the whole we may say that both for purposes of description and explanation we may attach great importance to the historical statements which we find in the preambles of the statutes or in royal proclamations; the authors of such public papers were likely to be well informed, and if they were consciously dishonest, the proof is probably easier than in the case of private persons.

15. We are not, however, absolutely limited to information drawn from our own land for the history of institutions in England; we may be able to fill up a certain number of *The argument from analogy*

gaps by means of the comparative method. There are some parts of the world where institutions now exist which are very similar to those which were at work in England during the middle ages; or the early condition of England was similar to that of other parts of Europe, and light drawn from distant sources may help us to understand what was going on in our own land. But this method of reasoning must always be used with care; the gilds in Baroda in the present day are similar to the mediæval gilds in England, but they are not identical; we must in all cases prove that the similarity is so close as to justify us in arguing from one to the other, if we are not content to use the modern instance as a more or less apposite illustration rather than an explanation. The causes which are bringing about the decay of common village life and regulated industry in India may be similar to those which were at work in former days in England; but the mere presence of an active official body saturated with modern and western ideas is an accelerating, it may be an initiating, force which was wanting among ourselves. The debt which each country owes to other civilisations, its climate and position, and countless other circumstances which are special to it alone, so far affect industrial development and decay in each land that we can rarely get any statement which holds good of all peoples, or lay down with any exactness the "natural progress of opulence." But even if the comparative method fails to give us valuable generalisations or sociological laws, it may serve as a useful adjunct, by enabling us to realise the nature of a social structure, to the existence of which histories and survivals only testify by the merest hints. By contrasting institutions or customs, differing in time and place but with a strong superficial resemblance, we may learn to understand the true character of each; and I have not scrupled to refer, especially in footnotes, to information regarding other countries, which serves to throw light on the economic condition of our own land.

*English economic development may* 16. In this aspect we may see that the study of English economic history leads us to a standpoint from which we can examine the industrial development of any other country with

*may give us useful illustrations*

*even if we cannot formulate sociological laws.*

greater facility and accuracy, since the progress of other lands *be taken as typical,* may be traced most clearly when we have followed out the history of that people who have attained the greatest measure of success. England takes her place among contemporaries as the wealthiest of existing nations, and her contribution to human civilisation has not consisted so much in the development of Literature and Art, as was done by Greece, in creating Law and administering it like Rome, but rather in the triumphs of her enterprise and the success of her industry.

There are other reasons why the growth of English industry may be taken as typical; the comparative completeness of her records from the times when scattered tribes had not yet come to be a nation till the present day renders it less impossible to trace the course of English than of some other industrial developments. Again, the insular position of England has given a marked character to her civilisation, while the comparative immunity from foreign invasion has rendered it more possible to specify the effects of intercourse with other lands, and of the settlement of foreigners here, than might otherwise be the case. On all these grounds we may feel that the story of English industry may be regarded as typical, and as giving us a useful clue with which to follow out the history of economic progress in other lands and other times.

owing to  
the com-  
pleteness of  
our records  
and com-  
parative  
isolation.

## I. EARLY HISTORY.

### I. POLITICAL AND SOCIAL ENVIRONMENT.

B.C. 55—  
A.D. 1066. 17. THE German tribes, from which the English nation afterwards sprang, are described by Cæsar as only just emerging from a nomadic condition, since they had not secured settled homes. They consisted of an agglomeration of little groups, each of which was held together by a comparatively slight tie; the men who composed them were occasionally brought into a closer connexion for judicial purposes, and the whole body might be united in the presence of a common danger.

*Great changes in political structure 55 B.C.*

The small social groups were of two distinct kinds; some of them carried on pasture and arable farming, others undertook predatory expeditions under the guidance of a leader to whom they were bound by the closest ties. The exact nature of the constitution, or of the different forms of constitution, which existed among the more settled groups, is a question which presents great difficulties, and which may be left on one side by the economist. It may suffice to say that if for a moment we contrast the position of their descendants a thousand years later, as it is pictured for us in the *Domesday Survey*, we cannot but be struck by the extraordinary revolution which had taken place in the condition of the people. The English were no longer a mere (congeries of septs,) but a nation with complicated political institutions; they had been so long settled in the island they had conquered that they had become a clearly defined people, ruled from a single centre; while the smaller social groups had

1066 A.D.

undergone considerable changes in their constitution and B.C. 55—  
had almost all come to approximate closely to one type—the A.D. 1066.  
Manor. Such notable constitutional progress was certainly accompanied by great changes in the ways and means of life, and we must endeavour to gather up the scattered hints which survive to tell us of the beginnings of economic progress in England.

18. While there was this striking change in the political structure, there may well have been great differences in the tone of social feeling; but of this we cannot easily judge, as we have no real means of estimating the nature of the customary morality of the primitive English tribes. <sup>The customary morality of the primitive tribes</sup> The unqualified praise which Tacitus bestowed upon them has been echoed by later writers<sup>1</sup>; and the careful investigation of the relics that remain, in their places of burial and elsewhere, goes to show that they were not mere savages, while in their primitive condition and still uninfluenced by Roman civilisation<sup>2</sup>. On the other hand, some of those who have devoted themselves to the study of their laws are less favourably impressed<sup>3</sup>. But whatever their virtues or vices may have been, the acknowledged right of each freeman to appeal to the judgment of the sword and their habit of pursuing warfare as a regular business, prevented them from settling down at once into well-ordered society, and survived as disturbing elements for many generations.

These practices however fell more and more into disuse; but there were other influences which came into operation soon after the English took up their abode in 449 A.D. Britain, and which became more powerful in the succeeding centuries. The Christian Church had begun gradually <sup>modified by Christian influence</sup> to exercise an effective control over all departments of life, and eventually to limit the exercise of the right of

<sup>1</sup> Montesquieu, who was somewhat influenced by the "noble savage" theory which was current in his days, ascribed the excellence of the modern English constitution to their primitive wisdom, *Esprit des lois*, xi. 6.

<sup>2</sup> "He was in fact a thorough gentleman, and the proof of it lies in his perceiving that woman was to be revered as well as loved." Hodgetts, *Older England*, 104.

<sup>3</sup> "They possessed no several estate, and were steeped in the squalor of unintelligent poverty." Coote, *Romans of Britain*, 447.

B.C. 55—  
A.D. 1066. private war in parts of Christendom where its ill effects were very obvious<sup>1</sup>. Not only did society become more orderly, but the enforcement of law and the security of property were favoured by the exertions of the clergy. Nor was the labourer forgotten; the traffic in slaves was greatly disengaged, the lot of the serf was improved, and the worker came to enjoy a weekly holiday on Sundays. While the influence of the Church was thus effective internally, it also served to re-establish a closer connexion between England and the continent, and to encourage the development of foreign trade. The efforts of these Christian missionaries are well worthy of our attention, as they were not merely religious teachers, but the agents through whom the English came into real contact with the heritage of civilised life which had survived the destruction of the Roman Empire.  
 and by the remains of Roman civilisation. Before they landed in Britain the English had been but little influenced by Rome<sup>2</sup>; and the balance of evidence seems to show that they had little opportunity of deriving many elements of culture from such remains of Imperial civilisation as they found when they entered on possession<sup>3</sup>. We are consequently forced to believe that in so far as elements of Roman Law or the practice of Roman arts appear in England before the Norman Conquest, it is probably because they had been re-introduced through ecclesiastical influence.

## II THE ENGLISH IN FRISIA.

B.C. 55. 19. The earliest evidence which we possess in regard to those Germans among whom the English tribes were included<sup>4</sup>, dates from a time when they had not completely

<sup>1</sup> Semichon, *Paix et Trêve de Dieu*, cc. i. ii.

<sup>2</sup> Coote, *Romans of Britain*, 447, but see below, p. 46, note 2, also p. 47.

<sup>3</sup> See below, pp. 56, 103.

<sup>4</sup> In this sketch it has not seemed necessary to attempt to distinguish the English from other German tribes. Linguistic affinities show that they came of the Low German stock (Grimm, *Geschichte der deutschen Sprache*, p. 658). The Saxons have been identified with the Ingaeones of Tacitus. (Germ. c. 2.) Zeuss (*Deutschen u. Nachbarstämme*, pp. 150, 380) gives the earlier notice of these names, and in pp. 490—501 an account of the tribes at the time of the invasion of Britain

emerged from a nomadic state<sup>1</sup>: apart from this direct B.C. 55—  
evidence we might have inferred on general grounds that they  
must have pursued a pastoral life at some period. The A.D. 449.  
economy of any tribes who lived in the distant home of the  
Aryan race must have been of this character, while the wan-  
dering of a tribe—not the incursion of a horde of conquerors—  
is scarcely intelligible unless we suppose them accompanied  
and supported by their flocks and herds<sup>2</sup>. One most im-  
portant occasion for the wandering of these tribes must have  
been a lack of fodder, and they would take the direction  
which presented the least obstacles to their continued liveli-  
hood from their herds. Level plains and river courses would  
offer favourite lines of progress; while the rapid multiplication,  
which seems to have continued in the regions from which they  
came, would always urge an onward movement. But at  
length they would find themselves opposed by obstacles which  
prevented any farther advance<sup>3</sup>; there were no means of  
transport by which a nomadic people could convey their  
herds across the German Ocean, while the Roman armies  
prevented the farther progress of the barbarian tribes, as  
tribes. In some such way as this the English were forced to  
settle down on the strip of land in Frisia, where they were  
sooner or later compelled to eke out their subsistence from  
their herds by means of tillage, and from which they sub-  
sequently emerged to conquer Britain.

From the descriptions which we read of nomadic peoples in the present day<sup>4</sup>, we can form a fairly clear idea of the economy of similar tribes long ago. In the management of the herd, in successful breeding and training, there is op-

and subsequently; they are mentioned by name by Ptolemaeus as dwelling at the mouth of the Elbe, in close association with the Angli and Suevi, who were probably identical. Portions of the tribes continued in the old settlements, and as Old Saxons preserved their ancient customs (A.D. 730) till at least the time of Bede. (*Hist. Ecc.* v. 10.)

<sup>1</sup> *De bello Gallico*, iv. 1, *Neque multum frumento, sed maximam partem lacte atque pecore vivunt, multumque sunt in venationibus.*

<sup>2</sup> L. Morgan (*Ancient Society*, p. 21) points out that tribes have sometimes been supported in long migrations by fishing in the rivers the course of which they followed.

<sup>3</sup> The conditions which lead to such a settlement are well discussed by A. E. F. Schäffle, *Bau und Leben des sozialen Körpers*, iii. p. 127.

<sup>4</sup> Roscher, *Nat. d. Ackerbaues*, p. 30.

*The primitive English as nomadic*

B.C. 55—  
A.D. 449. opportunity for the constant exercise of forethought and skill. The land over which the cattle range is not appropriated. Each family however possesses its own herd; and there may also be an understanding, for mutual convenience, between two septs or families, as to the runs which their cattle are to occupy respectively<sup>1</sup>. When we bear in mind these facts as to the general character of such tribes, we shall be in a better position for interpreting the hints which Cæsar gives us in regard to some matters of detail.

*Evidence of Caesar.* *War and the chase.* They were, as he tells us, mostly occupied with hunting and warfare<sup>2</sup>, and they derived subsistence from their herds and the spoils of the chase; but they hardly devoted themselves to agriculture at all. Under these circumstances it is quite clear that the assignment of land<sup>3</sup> which Cæsar describes, must either have been forest for game or pasturage for cattle; in any case it was waste land they wished to use, as they could have little interest in securing possession of fields that were suitable for tillage. What they wished to have was the right to use a well-stocked waste, and the lands thus assigned were common to the members of a particular family or sept for the time being, and were not held in severalty.

*Use and assignment of waste.* *The agriculture of migratory peoples.* We cannot be surprised at reading of a people in this imperfectly settled condition that they had no permanent houses; their dwellings were only roughly put together to serve as a temporary shelter<sup>4</sup>. But it does not necessarily

<sup>1</sup> Genesis xiii. 11, 12.

<sup>2</sup> Vita omnis in venationibus atque in studiis rei militaris consistit....Agricultura non student, majorque pars victus eorum in lacte, caseo, carne consistit. Cæsar *B. G.* vi. 21, 22.

<sup>3</sup> Neque quisquam agri modum certum aut fines habet proprios: sed magistratus ac principes in annos singulos gentibus cognationibusque hominum, qui una coierunt, quantum et quo loco vism est agri attribuunt, atque anno post alio transire cogunt. *B. G.* vi. 22.

The following passage is also of interest, though it may refer to a temporary emergency.

Hi centum pagos habere dicuntur, ex quibus quotannis singula milia armatorum bellandi causa ex finibus educunt. Reliqui, qui domi manserunt, se atque illos alunt. Hi rursus in vicem anno post in armis sunt, illi domi remanent. Sic neque agricultura nec ratio atque usus belli intermittitur. Cæsar, *B. G.* iv. 1. Compare also Alfred's organisation for defence against the Danes. *English Chronicle*, 894.

<sup>4</sup> *B. G.* vi. 22. Hanssen (*Agrarhistorische Abhand.* 1. 98), who discusses the

follow that they were so wholly ignorant of tillage that they B.C. 55—  
did not practise it at all. Primitive agriculture is perfectly consistent with a very migratory life. Some migratory tribes in the present day diversify the monotony of their life by occasionally growing a crop<sup>1</sup>, and since the German tribes were according to Cæsar settled in the same district a whole year, it was at all events possible for them to practise agriculture in this primitive form, as an adjunct to their other supplies.

20. There are indeed positive advantages in the method *extensive culture.* of tillage which consists in clearing the land, taking a single crop, and then letting it go wild again, while the same process is repeated elsewhere. By such *extensive* culture, full advantage is taken of the natural fertility of the soil; the system often maintains itself side by side with methods of culture that imply far more care and skill: it is practised in Russia now<sup>2</sup>. In former days in Aberdeenshire the *out-town* A.D. 1683. land, which lay at a greater distance from the homestead, was managed on this system, while the *in-town* fields were manured and cropped regularly year after year<sup>3</sup>. Similarly the two methods of cultivation are used for different parts of their land by some peasants in India<sup>4</sup>. Extensive tillage, in evidence furnished by Cæsar with considerable care, comes to the conclusion that they had a regular agricultural system, and that the various septs interchanged dwellings as well as lands at the time of the annual redistribution. But the statements already quoted as to their means of subsistence make against the opinion that they were so elaborately organised.

<sup>1</sup> Maize is grown by North American tribes who are still mainly given to hunting and migrating.

<sup>2</sup> Wallace, *Russia*, 365.

<sup>3</sup> *Northern Rural Life*, 20.

<sup>4</sup> "The system of tillage is in many respects peculiar. Having first found his level space the husbandman proceeds to build thereon his hut of wicker and thatch. The next step is to clear the soil of stones and brushwood. From the ashes of the earthen grate at which his coarse meal is cooked, from the droppings of his own and his neighbour's cattle, is gathered together a small stock of manure; and this he spreads over the cleared space around his fragile homestead. On the oasis thus created in the midst of wilderness is sown year after year the unwatered spring crop. For the autumn harvest the *goenr* or homestead lands are never tilled. To find a soil for his *kharif*, the peasant must go farther afield or rather farther a-jungle. Sallying forth in March or April, he cuts down the scrubby undergrowth or saplings on some spot outside the *goenr*. These he arranges regularly over the land; and a month or two later, when summer has sufficiently dried their sap, he sets the whole ablaze. The alkali of the ashes forms an excellent manure, and on the first fall of rain the soil is ready for the sowing of

B.C. 55— some form or other, appears to have been practised in all parts of the world, and it would be quite congruent with the social habits which Cæsar describes. In so far as the English had agriculture, or when they began to practise agriculture, it was probably on this method, as it would fit in most easily with their other modes of obtaining subsistence.

*Evidence of Tacitus.*  
98 A.D.

21. The well-known passage<sup>1</sup> in the *Germania* of Tacitus describes a state of society which is at first sight not very dissimilar, though from the slight stress laid on other modes of livelihood we may perhaps infer that the tribes were mainly dependent on agriculture at the time when he wrote. "They change the ploughed fields annually, and there is land over." The sentence seems to imply the existence of an *extensive* system, as the phrase "et superest ager" is hardly intelligible unless we interpret it as an indication that the whole extent of the waste was so large that they were able to change the part which they cultivated every year. But there is one point to which Tacitus calls attention in regard to which Cæsar is silent; the range of their wandering was so far restricted that they were in the habit of storing supplies of food. Their villages were curiously irregular to Roman eyes<sup>2</sup>; and they may perhaps have occasionally moved the autumn crop. It is obvious of course that this process cannot be repeated yearly. To allow the soil to recuperate itself, and the brushwood to grow again, a cycle of fallow years is needed, and as a rule the kharif is reaped but every third autumn." Conybeare, *Note on the Pargana Dudhi of the Mirzapur District*, 14. Compare also Virgil, *Georgics* i. 84. Illustrations may be found from the habits of different African tribes: the Kafirs remove their entire kraal when the soil is exhausted and break up new ground. *Compendium of Kafir Laws*, p. 150.

Mr Frazer has called my attention to other instances: "Migrations are frequent as the result of a discovery of good soil; sometimes a whole village will migrate to a new place." Falkin on the Madi Tribe, *Proceedings of Royal Soc. of Edinburgh* (1884), xii. 813. See also Winterbottom, *Sierra Leone*, 52. Burmah affords a close parallel to Cæsar's description, as the Karenas change their fields annually; they move every two or three years and build new houses to be near their cultivation; "Each village has its own lands; and if they are large in comparison with the inhabitants, they are able to cultivate new fields for six or seven years; but if their lands are small, they are compelled to come back to their former cultivation in three or four years; but after so short a period the jungle on it is too small to produce any good amount of ashes, and the crops are poor." *Journal of Asiatic Society of Bengal* (1868), xxxvii. 126.

<sup>1</sup> *Germ.* 26. See below, p. 85, note 3.

<sup>2</sup> *Vicos locant, non in nostrum morem, connexis et coherentibus sedificiis; suam quisque domum spatio circumdat, sive adversus casus ignis remedium, sive inscitia sedificandi.* *Germ.* 16.

their camps as the convenience of pasture ground or the B.C. 55—  
necessities of extensive culture dictated, but they were A.D. 449.  
accustomed to construct subterranean caverns<sup>1</sup> both for the <sup>Subterra-</sup>  
<sup>nean stores.</sup> sake of protecting their stores from the severity of the winter, and of concealing them, if necessary, from their enemies. This gives us a somewhat different picture from that of Cæsar, in whose time the tribes appear to have been indifferent to adequate shelter from the changes of the seasons.

It is hardly possible to exaggerate the importance of the <sup>Economic</sup> <sup>importance</sup> <sup>of opportu-</sup>  
step that is implied in this statement; so long as a tribe is <sup>nities for</sup>  
migratory they cannot accumulate any store of wealth, such <sup>accumula-</sup>  
as they must have if they are to set themselves energetically <sup>tion,</sup>  
to make the most of the resources of the particular place where they dwell. So soon as they have any opportunities of storing, they may begin to look forward to a more distant future, not merely to next harvest; and they may begin to expend their toil on improvements which will be of value for many years to come. The wandering shepherd is able by migration to shirk the difficulties of overcoming nature<sup>2</sup>; while wealth in the form of herds is not susceptible of in-

<sup>1</sup> There is, as Mr Frazer has pointed out to me, an interesting parallel in the habits of the Kafirs. Mr Kay writes, "It is worthy of remark that although these subterranean storehouses are frequently exposed, and the kraal in which they are made sometimes deserted for weeks and months together, an instance rarely or never occurs of one being broken open, or of its contents being unlawfully taken away. This would be accounted a very heinous offence." *Travels and Researches in Cafraria*, 145.

<sup>2</sup> It is worth while to compare the obstacles to the progress of the lower races. Tribes which live by hunting depend for their existence on being within reach of game: they must follow the herds and have scarcely any means of storing supplies of meat: they have no forethought except for the next few days. As they make no effort to keep up the supply of game, any encroachment on their grounds is a serious danger, and their only hope of having enough lies in exterminating the intruders; hence the ruthlessness of North American Indian wars. They cannot spare the lives of enemies, as they have no means of procuring additional supplies of food. The position of pastoral peoples is very different: by skilful management of their flocks and herds they may have an increased supply of the means of life, and they are able to utilise the services of others in attending to them. Hence among pastoral peoples we find that there is room for the preservation of slaves: the struggle for existence begins to take the form of seeking to develop the resources of nature, instead of that of trying to maintain oneself by keeping down the number of possible competitors. Compare Roscher, *Nat. d. Ackerbaues*, p. 21.

B.C. 55—  
A.D. 449. definite increase; scarcity of fodder limits it<sup>1</sup>, and the chances of disease and drought render this sort of wealth liable to total destruction from changes in the seasons; there are many natural barriers to the increase of pastoral riches. But the man with a settled store has entered on a mode of life in which there are infinite possibilities of progress; he may obtain and lay up, not one sort of wealth only, but wealth of different kinds, and thus possibilities of trade will arise<sup>2</sup>. Then again his store of wealth enables him to look far ahead and engage in work which will ultimately prove most useful, even though it yields no immediate return; while he may set himself to acquire skill in various directions. The step from located stores to fixed houses is comparatively easy; and when once a tribe has settled in permanent habitations, the prospect of steady progress without assignable limit, in numbers, in national wealth and in culture, really lies open before them.

*Character  
of their  
settlements  
as to size* 22. We have no precise evidence then as to the time when the English entirely relinquished their migratory habits and built permanent houses; but whenever this occurred the habitations provided were very different from those which the Romans would have reared in occupying a new territory<sup>3</sup>; they would have begun by laying out a city from which, as the centre of the new district, the great roads led into the surrounding country. But the Germans founded no cities and settled in isolated groups as they were attracted by physical conveniences<sup>4</sup>, without adopting any regular method of grouping. A comparison of the modes of

<sup>1</sup> Morgan, *Ancient Society*, pp. 26, 584.

<sup>2</sup> See below p. 77.

<sup>3</sup> On the laying out of a Roman Colony compare Coote, *Romans in Britain*, 52. "In proofs of centuriation England and Wales are richer than any other Roman country in Europe," *Ibid.* 88.

<sup>4</sup> *Germania*, c. 16: Nullas Germanorum populis urbes habitari, satis notum est: ne pati quidem inter se juntas cedes. Colunt discreti et diversi, ut fons, ut campus, ut nemus placuit.

Bethmann-Hollweg (*Civil-Process*, iv. p. 80) argues that these two sentences describe two distinct forms of settled habitation, similar to those which are known as the 'joint-undivided-family,' and the 'village community,' and exist side by side in Bengal. The joint undivided family consists of a group of perhaps three generations, who are united by partaking together in common meals, common worship, and who hold common property; while in the village community each

settlement adopted by different Germanic tribes shews that B.C. 55—  
they were greatly determined by physical considerations, not A.D. 449.  
only as to the place but as to the size of their villages. <sup>and situation:</sup>  
Little oases on heaths and moors, which could hardly support  
a village, might be the residence of a household; so might  
restricted habitable spots on mountains, or in forest glades<sup>1</sup>.  
In Norway and Sweden, on the banks of the Elbe, and the  
western coast of Jutland, this method of settlement, by single  
households, appears to have predominated<sup>2</sup>; in such cases it  
was unnecessary to make common and formal arrangements  
for carrying on agriculture. But apparently the practice of  
settling in village groups was more usual among the tribes <sup>their mode</sup>  
which Tacitus describes<sup>3</sup>, and they made arrangements by <sup>of agri-</sup>  
<sup>culture.</sup>

head of a family has definite property, as distinguished from the property of other families in the community.

Mr Seeböhm (*Village Community*, p. 898) also holds that the two sentences refer to distinct kinds of social groups: the landowners living in scattered homes, with serfs occupying villages (vicos) on their estates.

It seems to be more natural however to regard the second sentence as merely explaining the character of the scattered groups which have been already contrasted with Roman towns. On the German distaste for urban life see Größer, *Papst Gregorius VII.*, vii. 98.

<sup>1</sup> Particular situations might be attractive for the greater security they afforded; we may compare the early settlements of Irish monks. Where no isolated retreat can be obtained, deliberate devastation may be resorted to in self-defence.

*Publige maximam putant esse laudem, quam latissime a suis finibus vacare agros: hac re significari, magnum numerum civitatum suam vim sustinere non posse. Itaque una ex parte a Suevis circiter milia passuum sexcenta agri vacare dicuntur. B. G. iv. 8. Simul hoc se fore tutiores arbitrantur, repentina incursionis timore sublati. B. G. vi. 23.*

The same system was in vogue in India under native rule. "One of the first things...was to make a good road to connect the capital (of Sawunt Waru) with the seaport Vingoria...One day in confidential mood the Rajah remarked, 'See how this Sahib is spoiling my country by his new road, and what he calls improvements.' I ought perhaps to add, as some excuse for the Rajah, that the traditional policy of the state was to maintain inaccessibility. Forests, difficult passes, vile roads, thick jungles, were the bulwarks not only of the capital, but of most of the towns and villages." Jacob, *Western India*, p. 120.

<sup>2</sup> Hanssen, *Agrar. Abhand.* I. 6, 27.

<sup>3</sup> *Agri, pro numero cultorum, ab universis in vices occupantur: quos mox inter se secundum dignitatem partituntur: facilitatem partiendi camporum spatia prstant: arva per annos mutant, et superest ager.* Germ. 26.

This passage has given rise to an immense number of different explanations: the interpretation adopted is on the whole that of Waitz (*Verfassungsgeschichte*, I. p. 182) and Hearn (*Argan Household*, p. 219), though they support it by the use of other readings, which scarcely seem admissible according to the manuscript authority.

B.C. 55—  
A.D. 449. public authority for regular tillage. “The lands are held by all interchangeably, in proportion to the number of the cultivators ; and these they afterwards divide among themselves according to their dignity ; the extent of the territory renders the partition easy. They change the ploughed fields annually, and there is land over.” From this we gather that an amount of unoccupied land was assigned to each village—not fields, but the waste from which fields could be formed and where all other necessaries could be found. The quantity of unoccupied land thus assigned was in each case determined with reference to the numbers of those who were to form a village and live off it, and who shared the advantages it offered for tillage, for fodder and for pasture.

*The rights  
of each  
villager.*

*Toft.*

*Higid.*

*Extensive  
tillage of  
the fields  
in the  
waste,*

23. We may think of each member of one of the villages described by Tacitus as possessed of a home, whether permanently fixed in his time or not, to which a small enclosure or yard (*toft*) was in all probability attached ; but besides this possession he had valuable rights. Along with the rest of the villagers, he would have a strip in the fields (*arva*) which were under cultivation ; as well as a claim to a portion of the meadow land from which they cut their hay ; and he would use the common land (*ager*) to pasture his cattle, and to cut his fuel. These various rights made up the *higid* of the Germans<sup>1</sup> ; we may consider each of them a little more carefully.

(a) There is no reason to suppose that the mode of tillage was different from that which was in use in the time of Cæsar ; Tacitus remarks that the tribes possessed little agricultural skill, and explicitly states that the cultivation was extensive<sup>2</sup>. Such a condition of course implies that there were no permanent fields, but that a new portion of the *ager* was each year broken up and ploughed by the collective industry of the village. When Tacitus says that they divided the lands among themselves, he can hardly mean that the whole area was broken up into separate holdings, but that each received some land to till as his share of the fields

<sup>1</sup> A discussion of the precise extent of these rights as admitted in Germany at a later time will be found in G. L. von Maurer, *Markverfassung*, 63.

<sup>2</sup> *Arva per annos mutant, et superest ager. Nec enim cum ubertate et amplitudine soli labore contendunt, ut pomaria conserant, et prata separant, et hortos rigent.* *Germ. 26.*

which were newly cleared for crops each year, and that he B.C. 55—  
received it as his for a year only<sup>1</sup>. The man had a right to a portion of the ground which was annually prepared for tillage, but he did not retain any one piece of land except in so far as he always occupied the same house and yard from year to year.

(b) His share of the hay crop was secured to him in a similar fashion; this, when they became thoroughly settled, was grown year after year on the same part of the village land, as the spot that was best watered or grew the best grass was selected to serve as permanent meadow; it was usually divided into strips, and each villager would have his strip assigned him only for a single season, and when it was ready to cut. This practice survived in places where the annual re-assignment of portions of land for tillage had long fallen into disuse<sup>2</sup>.

<sup>1</sup> At Sierra Leone extensive tillage is carried on collectively and "the produce is divided to every family according to its numbers." Winterbottom, *Sierra Leone*, 52. This would be the only certain method of securing equality in the shares: assignment by lot is a means of avoiding unfairness in assigning lands: in some villages in India where certain plots are more favourably situated than others as regards the water supply, the plots are annually re-assigned by lot, so that each may have his chance of getting one of the better bits. The Germans however did not attempt to partition equal shares, but made the division 'according to dignity.' This principle of assignment may be said to survive in many English burghs where the custom has obtained of allotting the arable or meadow lands according to the seniority of the burgesses. Nottingham, Berwick, and Laugharne are cases in point. Gomme in *Archaeologia*, XLVI. 411. See below p. 48, n. 2, for these two principles of assignment among Norsemen. On modes of division for revenue purposes, see E. Thomas, *Revenue of Mughal Empire*, 9.

<sup>2</sup> In his *History of Bampton*, p. 79, Dr Giles writes, "The common meadow is laid out by boundary stones into 18 (?) large divisions, technically called layings out. These always remain the same, and each laying out in like manner, is divided into four pieces called 'Sets,' First Set, Second, Third and Fourth Sets. Now, as the customs of Aston and Coat are based on the principles of justice and equity between all the commoners, and the Common Meadow is not equally fertile for grass in every part, it becomes desirable to adopt some mode of giving all an equal chance of obtaining the best cuts for their cattle. To effect this, recourse is had to the ballot; and the following mode is practised. From time immemorial there have been sixteen marks established in the village, each of which corresponds with four yard lands, and the whole sixteen consequently represent the 64 yard lands into which the common is divided. A certain number of the tenants, consequently, have the same mark, which they always keep, so that every one of them knows his own. The use of these marks is to enable the tenants every year to draw lots for their portion of the Meadow. When the grass is fit to cut, which will be at different times in different years according to the season, the Grass Stewards and Sixteens summon the tenants to a general meeting, and the following ceremony

B.C. 55—  
A.D. 449.  
and rights  
to common  
pasturage  
on the  
waste

including  
the meadows  
and stubble.

(c) In regard to the common rights on the waste little need be added here; it may be noted however that space had to be provided for each community "pro numero cultorum." This limitation may have reference to the necessity of securing sufficient pasturage for the teams of oxen which the cultivators possessed and without which they could not carry on their tillage; more probably, however, it means that they allotted the lands, so that the villagers could carry on extensive culture without being forced to recur to soil already tilled, before several years had elapsed and it had completely recovered<sup>1</sup>. The meadow reverted to the common waste as soon as the hay was harvested<sup>2</sup>, and the cattle could pasture there, or on the stubble from which the corn had been removed. Our experience of modern agriculture renders it hard for us to realize the great importance of the common waste in primitive economy. We are apt to think of a prosperous village as one that had good fields with sufficient pasturage attached, but it would be far more true to say that it had ample waste, portions of which were temporarily used for tillage and as meadow. Between harvest and seed time in each year the whole of the village lands once more reverted to the condition of common waste; and if there was only enough of it there could be no fear, under an extensive

takes place. Four of the tenants come forward each bearing his mark cut on a piece of wood, as, for example, the 'frying pan,' the 'hern's foot,' the 'bow,' the 'two strokes to the right and one at top,' etc. These four marks are thrown into a hat, and a boy, having shaken up the hat, again draws forth the marks. The first drawn entitles its owner to have his portion of the Common Meadow in 'Set One,' the second drawn in 'Set Two,' and thus four of the tenants having obtained their allotments, four others come forwards, and the same process is repeated until all the tenants have received their allotments....The most singular feature of this very intricate system remains to be told. When the lots are all drawn each man goes, armed with his scythe and cuts out his mark on the piece of ground which belongs to him, and which in many cases lies in so narrow a strip, that he has not width enough to take a full sweep with his scythe, but is obliged to hack down his grass in an inconvenient manner, as he is best able."

<sup>1</sup> "As the natives of the coast are ignorant of the advantages of manure, and probably are too idle to hoe the ground, they never raise two successive crops from the same plantation; a new one is made every year, and the old one remains uncultivated for four, five, six or seven years according to the quantity of land conveniently situated for rice plantations which may be possessed by them." Winterbottom, *Sierra Leone*, 52. See on the Karem above, p. 82, note."

<sup>2</sup> In Wales after the Aftermath was secured. (*Venedotian Code*, III. xxv. 27), *Ancient Laws*, p. 160.

system of tillage, of failing to secure 'good' arable ground, B.C. 55—  
somewhere or other, in each successive year. A.D. 449.

The possession of ample waste was the primary condition for prosperity ; the villagers could then provide themselves with unexhausted land (fresh woods and pastures new), and they were also saved a great deal of trouble in the actual process of assigning the arable land each year : "facilitatem partiendi camporum spatia praestant." When the area was large they were not restricted as to the size of each holding, and they could allot land by laying out multiples of a good holding, instead of by trying to divide a given area into equal fractional parts. We may take a hypothetical case for purposes of illustration. If a village of twelve families could only allow a space of 1200 acres for crop each year, so as not to return to the same land after a very short interval, they would have to restrict each of the twelve families to about 100 acres; and as the lie of the ground and natural formation would render it difficult to find a precisely similar space for tillage each year, it would not be easy to divide each of these areas into fair portions; one year they might have 1100 acres and another 1300; and thus be forced to allot fractional parts of a different size in each year. But if the land of the village was practically unlimited they would be able to allot each family the largest holding which they could work—say 120 acres—and to lay out holdings of 120 acres for each of the twelve families,—the area under crop in each year would be a multiple of the land which formed the most convenient arable holding for each family.

When a holding is spoken of however, it must not be supposed that each family had an area of contiguous land, like a modern farm ; each holding would consist of a great many separate portions which lay intermingled with the separate portions of the holdings of other families. It would rather appear that as the land was cleared, and broken up by the plough, it was dealt out acre by acre, to each family in their turn ; in this way a holding of 120 acres would consist of 120 separate portions of an acre each, or even of 240 of half an acre, each scattered over an area of 1440 acres, and lying intermingled with the acres allotted to other

*Each holding consisted of many scattered strips intermingled with the strips of other men.*

B.C. 55—  
A.D. 449. families. This mode of dealing out the separate acres in turn would of course be convenient if it was desired to give each a fair share<sup>1</sup> of the good and bad land in each place ; and it would also be the most convenient method of finding the fractional parts in those cases where the village lands were circumscribed, and they had to divide 1100 or 1300 acres into twelve holdings. We can understand how the right to have a share (*higid*) should be quite precise though the actual area was still undetermined, and that this right to share might even be treated as a saleable property<sup>2</sup>.

*No assignable date for the introduction of intensive culture.* 24. This is a convenient point at which to look a little farther ahead and describe the next step in social progress : one for which, so far as we can see, the tribes with their located stores were almost ready in the time of Tacitus : though we have no direct evidence on the subject and must draw on the knowledge we obtain by comparing the condition of other countries in the present day. Mr Wallace has called attention to the important changes which follow in Russia upon the introduction of more careful tillage<sup>3</sup>. Sooner or later men come by choice to continue cultivating the same land : this may be because a particular plot proves convenient for their fixed dwellings ; or it may merely be a result of increasing skill, when they find that by expending labour in manuring the land a better crop can be obtained ; and then a system of *intensive* farming will supersede the more slovenly *extensive* tillage. Instead of trying to keep up the supply by taking in a new area, men will employ more care and forethought on the lands already under plough ; they will wish to plan their operations with regard to a longer period of time, and will be glad of such conditions of tenure as will enable them to carry out their purpose.

<sup>1</sup> The method of allotment which was in vogue among the Welsh, when men associated themselves together and each contributed something to the common plough team and plough may be compared. The first acre (*erw*) went to the ploughman, the second to the irons, the third to the owner of the 'exterior sod' ox, the fourth to the owner of the 'exterior sward' ox, the fifth to the driver, then to the owners of the other oxen in turn, *Ancient Laws (Vendotian Code, III. xxiv. 8)*, p. 158. (*Gwentian Code, II. xix. 1*), p. 354. *Leges Walliae, II. xxx.* p. 801.

<sup>2</sup> Such 'ideal' property is the subject of transfer among Karens. *Journal Asiatic Soc. Bengal, XXXVII.* p. 126.

<sup>3</sup> Wallace, *Russia*, 560.

The plot that is really well worked one year will retain a B.C. 56—  
certain portion of the advantage for a second<sup>1</sup>, a third or a  
fourth season; and the holder's claim to get the benefit of *This led to  
the disuse  
of annual  
re-allot-  
ment,*  
his exhausted improvements will make him desire to retain the use of his land for a longer period than the single year, for which the plot was originally allotted to him. Where intensive culture is well carried on this desire will be felt by most of the members of the community, and few, if any, will wish for a re-allotment of the lands; the custom of annual or even of frequent redistribution will only linger among backward communities; and gradually it falls into disuse altogether.

When this revolution occurs, the villager still retains the *and the  
definite  
rights of  
the villager  
to property*  
same rights over his house and yard, still has common rights on the common waste, but he has acquired a right to the use of a particular holding of arable land indefinitely, since with the introduction of intensive culture, the practice of re-allotment falls into disuse. And hence it comes about that, (a) the arable fields are no longer shifted from year to year, but form a portion of the village land which is regularly used for tillage, just as the meadow is regularly used for growing hay; and that (b) there may be permanent allotments to individuals in the arable fields. The villager no longer merely possesses a definite right to share in all parts of the village land, but he is able to claim a particular piece of arable land as his own, together with the right to meadow land and the use of the waste *are no  
longer  
'ideal' but  
'real.'*  
for pasture. His property to use a common phrase is no longer "ideal" but "real," since he has not only a right to share, but a right to particular plots as his share. Whether A.D. 449. this change took place before or after the English invasion,

<sup>1</sup> This may be also called the *one field system*, as one plot of ground is cultivated over and over again with the same crop. "In the parish of Alvah, fields to which lime had been applied, were reckoned fit to yield from twelve to nineteen crops of oats in succession. And it was to Kincardineshire that the old school farmer belonged, who, on being complimented on the good appearance of his crop, said, 'It's nae marvel, for it's only the auchtient (eighteenth) crop sin' it *gat gweedin'* (dunging).'" *Northern Rural Life*, p. 28. If the application of lime or manure appeared to give rise to such long-continued benefits, we can easily understand that villagers who had been at the trouble of improving their plots, would protest against a redistribution.

<sup>2</sup> *Hanssen, Agric. Abhand.* I. 90.

B.C. 55— whether intensive culture was known to our forefathers when they came here, or introduced after that time, it may be impossible to decide with certainty<sup>1</sup>; but it was a change of great importance and fraught with far-reaching results.

*The organisation of the tribes for economic, judicial and military purposes.*

25. The organisation of the tribes is a matter of constitutional rather than of economic interest, but we must not wholly neglect it; the village (*vicus*) was the unit of their economy, and the method of tillage and lot of each freeman were decided by the village customs; the *gau* or hundred (*pagus*) was a military and judicial division of the people (*civitas*) as a political whole, and in each of these there were assemblies for the conduct of affairs. In these assemblies the freemen and *nobiles* took part and elected the *principes*, who were their judges and captains; while the captives of war, or those who had lost their freedom through crime, were the mere slaves of the free, with no portions in the soil and no right of defending themselves by arms. At the head of all was the king, elected from among the direct descendants of the gods; a *princeps* in his own hundred, he was seldom called on to exercise any authority over the whole nation; yet when a national council was held he would preside, or if a national migration took place he was the natural leader.

*The common bond*

The working of the village institutions and customs deserves much closer attention here, as it is more especially of economic significance, but it is a subject beset by many difficulties. It is hard to discover the precise nature of the common bond that drew together, and kept together the men who lived in such close connexion—working together on

<sup>1</sup> Waitz (*Deutsche Verfassungsgeschichte*, I. p. 121) seems to consider the probabilities are in favour of the supposition that they carried it with them. This may well be so, but it is worth while to observe that in the time of Tacitus, as in that of Cæsar, they were ignorant of intensive culture in its commonest form; and the survival of the practice of redistributing arable land in "Hill Parts" at Lauder in Berwickshire (Maine's *Village Communities*, 95) seems to show that some of the settlers brought with them the practice not of intensive but of extensive agriculture, and that the old method has been maintained. The re-arrangement of land so as to set apart tithe "as the plough traverses the tenth acre" (Ethelred, VIII. 4, ix. 7, Thorpe, *Ancient Laws*, I. 388, 343), especially when read in the light of the Welsh laws about co-aration (see above p. 40, n.), seems to imply a condition where land was not finally allotted, and which was therefore congruent with extensive culture. On the whole subject of early ploughing and the relics of it, compare Seebohm's *Village Community*, ch. I. and IV.

their fields, sharing the meadow land, and enjoying the common use of the waste. In all probability the tie of common blood was the basis of the system, but it may have been strengthened by a sense of neighbourliness<sup>1</sup>, and rendered still firmer because of the convenience it offered for working the soil by associated labour and with combined stock.

It is quite possible that some groups were formed in England by men who were associated for military purposes, and who having fought side by side, settled down together, under the leadership of a superior who was an embryo manorial lord<sup>2</sup>. In other cases the cultivating group might be formed from those who were reduced to subjection by the invading English. Agricultural practice, as well as the internal relations between the members of such groups, might be very similar even when there were great differences of social status between the men who formed one group and those who formed another. Those who were the mere serfs of some neighbouring lord and owed him a large share of their produce, might yet regulate their common affairs by the same sort of rules and by means of officials such as directed the work of free cultivators, who were only occasionally and nominally controlled by political or military superiors. If we make an allowance for these different degrees of freedom, we may say that the village community,

<sup>1</sup> See the excellent remarks in Hanssen, *Agrar. Abhand.* II. 85. The growth of "the joint family into a village community," which seems to be of constant occurrence in India, may be taken as illustrating the process. Phear, *Aryan Village*, 233. Compare also, however, Laveleye, *Prim. Property*, 181.

<sup>2</sup> Earle, *Land Charters*, iv. lxx. Such would be the apportionments of land mentioned in the *English Chronicle* in 876 when "Halfdene apportioned the lands of Northumbria, and they thenceforth continued ploughing and tilling them," or in 880 when East Anglia was apportioned. We hear that in the apportionment of land in Iceland, which was taking place about the same time, regard was had to the position of "the ship's company in the mother country" (N. L. Beamish, *Discovery of America*, v.), though sometimes they cast lots instead of apportioning 'according to dignity.' In the *Saga of Thorfinn Karlefne* it is related that when the ship of Bjarni, the discoverer of America, was found to be sinking from borings by the *teredo*, and they were forced to take to a small boat which would not hold all the crew, the captain generously said, "It is my counsel that lots should be drawn, for it shall not be according to rank." The lot fell on Bjarni to go in the boat, but he gave up his place to an Icelandic man "who was desirous to live," and went back to the sinking ship. Beamish, *Discovery of America*, 104.

B.C. 55—  
A.D. 449.

*The village  
community  
a world-  
wide in-  
stitution.*

*The head-  
man.*

as an agricultural unit, is a world-wide institution, and we may draw on the information furnished by other countries, in order to fill out the bald outlines indicated by survivals of these groups as they existed among the English tribes. The question as to the measure of dependence or freedom which any of these village communities possessed at any time in our land may be reserved for discussion below<sup>1</sup>. In order that the common tillage, and due management of the meadow land, as well as of the waste which supplied fuel, wood for building, and so forth to each village community, might be carried on, it was obviously necessary that there should be some administration. This has generally been committed by the assembled householders to one man, who undertakes the duties for a year<sup>2</sup>. In Russia the office of headman is a burden which everybody is anxious to escape<sup>3</sup>; in other cases the administration appears to have been hereditary in a leading family from the earliest formation of the community, for it certainly does not always seem possible to derive the individual from the communal rights<sup>4</sup>. However this may be, we know that even at the first there was no equality<sup>5</sup>, but a difference of status and therefore of wealth among the members of the community; and as time

<sup>1</sup> See §§ 46, 47.

<sup>2</sup> Compare Altenstadt in 1485. "Das man alle jare nach Sant Walburgendag so man erst mag ein merkerding halten sol, vnd alle ampt bestellen, nhemlich so sal ein oberster merckermeister vnd ein vndermerckermeister die das vergangen jar merckermeister gewest sein, das merckerding basiczen, und soln die rugen horen,... vnd wan das also geschehen ist, so sal der vndermerckermeister vnd alle furster dem obersten merckermeister ire iglichen ampt vffgeben in sein hant, vnd wan sie das gethan, so sal der oberst merckermeister die mercker ermanen vnd sie heissen widder ein vndermerckermeister zu kiesen, das sie dan also thon saln, das auch rechtlichenn also herkommen ist, vnd dieselbenn, die also daruber gekorn werdenn, soln ein obersten merckermeister über ire ampt geloben vnd zu den heiligen schwerenn, der marg recht zu thun und niemant vnrecht." Grimm, *Weisthümer*, III. 458.

<sup>3</sup> D. M. Wallace, *Russia*, 182. Compare also in Sierra Leone: "The Headman of the village claims from the general stock as much rice as, when poured over his head, standing erect, will reach to his mouth. This quantity is scarcely adequate to the expense which he incurs by exercising that hospitality to strangers and others, which is expected of him as a duty attached to his office." Winterbottom, *Sierra Leone*, 58.

<sup>4</sup> Hearn, *Aryan Household*, p. 282.

<sup>5</sup> Tacitus, *Germania*, 26; cf. Phear, *Aryan Village*, p. 285. See above p. 37, note 1.

went on these differences sometimes became more decided so B.C. 55—  
as eventually to break up the system altogether<sup>1</sup>. A.D. 449.

26. From what we know of the habits of our forefathers we must feel that they had made considerable progress in the industrial arts. Their powers of locomotion, both by land and sea, show that they could construct wheeled vehicles<sup>2</sup>, Industrial Arts. and handle their ships. But the most definite evidence in regard to their mechanical skill is drawn from the relics which have been preserved; ancient swords, shields, and swords, other implements can be identified by their forms, or by the special type of ornament, as of purely English manufacture,

<sup>1</sup> The village community is a very widely diffused institution: it may be in a sense natural to a people who take to a settled life when the simple co-operation of labour is required for carrying on agricultural operations: the labour of slaves can be organised by their master, but that of men who are in any sense free must be organised by themselves through the appointment of a directing head. A general sketch of the institution will be found in Sir Henry Maine's *Village Communities*; other points are brought out in Dr Hearn's *Aryan Household*. A good account of the system as actually existing is given, by Sir John Phear (*Aryan Village*) for India and Ceylon, by Mr D. Mackenzie Wallace in *Russia* (pp. 118 f.), by M. Laveleye for other parts of Europe in his *Primitive Property*, where many survivals are noted.

The history and changes in the institution in Germany are fully described by von Maurer, *Markverfassung* and more briefly in his *Einleitung*: the corresponding changes in England can be partly traced with the help of Kemble, *Saxons in England* (i. pp. 35—71), Stubbs, *Constitutional History* (i. pp. 38, 49), and Nasse, *Land Community*, also Scrutton, *Common Fields*, p. 8. Mr Kemble did great service at the time he wrote, but his conclusions on almost every point have been modified by later investigators. There is a temptation to adopt for England what has been worked out for Germany, instead of investigating the phenomena as they occurred here. By far the most thorough examination of the English evidence is to be found in Mr Seeböhm's *Village Community*. Reasons will be given below against accepting the conclusion at which Mr Seeböhm arrives that all the communities in England were originally servile, but the mass of facts collected and arranged are of the greatest interest, even though there be a difference of opinion about the manner in which they are to be interpreted.

The historians of Ireland and Scotland have noted a state of society which was somewhat similar, though modified by a strong feeling of kinship and respect for the head of the sept; see Sullivan's introduction to O'Curry's *Manners and Customs of the Ancient Irish*, i. cxxxi—cxcvi, and a history of early tenures in Mr Skene's *Celtic Scotland*, iii. pp. 189, 215.

It is interesting to find traces of the same institution among a Semitic people, and to examine the incidental allusions in the Bible to the land system of the Israelites. For the first settlement see the *Theological Review*, xiv. 489, and for an admirable account of the changes as well, see the *Church Quarterly Review*, x. p. 404.

<sup>2</sup> In which apparently their wives and children could be conveyed. Caesar, *B. G.* i. 51. Tacitus, *Germania*, 7, 18. *Hist.* vi. 18. Procopius, *De bello Goth.* i. 1. *De bello Vandal.* ii. 8.

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A.D. 449.

and these speak decisively to the skill of the men who made them. In regard to such points it may be worth while to quote the opinions of specialists.

*Coinage.*

"Those," says Ruding<sup>1</sup>, "who deny that the Saxons possessed any knowledge of the art of coinage before they landed in Britain, will find it extremely difficult to point out the source from whence they derived it after their arrival; for the Anglo-Saxon money bears not, either in form, type, or weight, the least resemblance to those coins which at that time were the current specie of the island<sup>2</sup>. This must necessarily have been composed of Roman money with, possibly, a small intermixture of the British, neither of which could have been the prototype of the Saxon." The English had not such a stock of money as to enable them to dispense with barter till centuries afterwards, but if they were acquainted with the use of coinage at all, they must have had a certain amount of trade in the period before they landed in Britain.

*Chronicles  
and Runes.*

Similarly there are relics which show that they had other elements of culture. Dr Guest argues<sup>3</sup> that the earlier entries in the *English Chronicle* may have been records inscribed on staves, and arranged like those of a 'bardic frame.' "As to the characters in which these events were recorded, what could they be but the 'runes' which our ancestors brought with them into the island, and which, even after the Roman letters had been introduced by Christian missionaries, were regarded with so much favour that we often find them transcribed in our MSS. even as late as the thirteenth

<sup>1</sup> *Annals of the Coinage*, I. 101.

<sup>2</sup> "Amongst the almost innumerable various types which are found upon the Anglo-Saxon money, there are only two known which can with any possibility be derived from the Romans." Note by Ruding. Professor Middleton informs me that the number of types in which Roman designs have been recognised is much larger, but that they are still so few, comparatively speaking, that the main argument is untouched. Bronze fibulae and other articles of jewelry, sometimes show traces of being copied from Roman work: this is more obviously true of glass vessels and coloured enamels. But relics of this sort do not occur more frequently in Teutonic graves in Britain than in Teutonic graves on the continent, and hardly serve to show a direct inheritance of Roman arts within this island itself.

<sup>3</sup> *Early English Settlements* from *Transactions of the Archaeological Institute*, 1849, p. 89.

century with the title 'Alphabetum Anglicum' written over B.C. 55—  
them.<sup>1</sup> A.D. 449.

Their skill in other arts may be seen from the equipment <sup>Warriors  
as crafts-  
men.</sup> of the great warrior who is represented in Teutonic Legend as not despising the craftsman's skill, but as well able to fashion the blade he wielded; he had a sword with a double-edged blade of steel and a shield with a rich boss. Specimens of these survive to bear witness about the state of the arts as practised among our forefathers in their pre-Christian days<sup>2</sup>, and these may be fairly taken as showing what their native genius apart from foreign influence was able to accomplish.

27. When we see how much of their skill was directed <sup>Warfare  
and Agri-  
culture.</sup> to the manufacture of arms and adornments for the warrior we may learn what a large part warfare played in their ordinary life; it could be carried on without disturbing the territorial system already described. We have an instance of a great defensive war in which the Suevi <sup>B.C. 55.</sup> engaged, half of them being under arms, and half occupied in tillage every year; the village system rendered this arrangement possible and it was adopted by the English at a much later date as giving the best systematic defence against the Danes<sup>3</sup>. Again we find members of these tribes em- <sup>A.D. 894.</sup> ployed by the Romans as mercenaries under their own leaders, not merely recruited from German settlements within the limits of the Empire<sup>4</sup>; although such settlements existed. But much more important schooling in warfare was obtained by piracy; this was the recognised business of many <sup>Piracy.</sup> of the people, and offered a constant opening for the employment of the surplus population. What may be the conditions <sup>Increase of  
population.</sup> which render a nation so specially prolific as English tribes

<sup>1</sup> Hodgetts (*Older England*, 16) describes the warrior's equipment as very elaborate indeed. "In the 'Lay of Beowulf,' we find how the war-net is woven by the smith, how the 'ring byrnie' was hard *hand-locked* or riveted, how the iron shirts sang as the warriors marched: how the rings and chains were twisted and woven, but not as women weave, till the war shirt rattles the song of Hilda (Goddess of War) in the air. How the Nichars could not assail Beowulf in the water because of his byrnie, nor could the monsters of the deep tear him because of his linked mail." But coats of mail do not at all events appear to have been common, and there is no satisfactory proof that they were of native manufacture in the fifth century.

<sup>2</sup> *English Chronicle*, 894.

<sup>3</sup> Bethmann-Hollweg, *Die Germanen vor der Völkerwanderung*, p. 78.

B.C. 55—  
A.D. 449. appear to have been at that time are hardly known<sup>1</sup>; but it is commonly said that peoples just emerging out of barbarism exhibit a suddenly increased power of multiplication; partly perhaps because a more settled life is favourable to the nurture of the young. The social conditions which rendered the Germans more prolific than the Romans are alluded to by Tacitus<sup>2</sup>; and these, along with the simplicity and vigour of a young nation, make up the whole explanation that can be given<sup>3</sup>.

*The English as pirates*  
*ravaging Britain.*

This increase of population gave a continual surplus which could not be supported with the rural system then in vogue; but the German's love of wandering is as strong as his love of home, and any leader who started on a life of adventure in foreign parts was likely to find a following. In inland districts these bands doubtless resembled the free-booters who infested the English and Scotch borders, and whose doings are familiar to the readers of the *Monastery* and others of the *Waverley Novels*; but the tribes that bordered on a sea coast sent out their surplus population to engage in regular piracy along neighbouring shores. The coasts of Normandy and of Britain had suffered for many years from these pirates, so that the officer whose duty it was to repel these attacks had the regular title of *Comes Litoris Saxonici per Britanniam*<sup>4</sup>; indeed these ravages, at the hands of one or other of the northern peoples, continued for centuries,—so long as warfare was prosecuted by the Norsemen as a regular business<sup>5</sup>. A life of piratical adven-

<sup>1</sup> They are discussed most ingeniously by Doubleday (*True Law of Population*, 5), who produces much evidence to show that fecundity is connected with privation. See also Roscher, *Political Economy*, II. 297.

<sup>2</sup> *Germania*, 18, 19, 20.

<sup>3</sup> Bethmann-Hollweg, *Die Germ. vor der Völkerwanderung*, 18. *Civil-Process*, IV. 104—129.

<sup>4</sup> E. Guest, *Early English Settlements*. From *Proceedings of Archaeological Institute*, 1849, p. 33. Another view of this office is taken by Lappenberg, *Saxon Kings*, I. p. 46.

<sup>5</sup> E. G. Geijer (*Poor Laws*, pp. 70, 102) has some interesting remarks on the effect of this continued prosecution of war as a trade on the internal development of Sweden: for its effects on an inland people, see W. W. Hunter, *Rural Bengal*, p. 219. Compare the enumeration of various employments given by Aristotle: *οἱ μὲν οὖν βίοι τοσοῦτοι σχεδόν εἰσιν, δύοι γε αὐτόφυτοι ὅχονται τὴν ὀργασίαν καὶ μῆ δι' ἀλλαγῆς καὶ καπηλεᾶς περίσσουται τὴν τροφήν, νομαδικός γεωργικός ληστρικός διλευτικός θηρευτικός*. The pirate's employment is treated of as a

ture had many attractions and was eagerly adopted, while it B.C. 55—  
was readily adapted to institutions which survived from  
times when war was necessary, not merely for the main-  
tenance of some, but for the defence of all. This mode of  
life gave rise to a generally recognised social institution;  
the princeps gathered a comitatus, who were bound by the  
closest of all ties to fight in his behalf and act as a  
permanent force, or as a body of freebooters or pirates when  
the tribe became more settled. It is indeed a question,  
whether these pirate bands did not serve another purpose.  
We have seen in the preceding paragraph that there is at  
least a strong probability that the German tribes were  
accustomed to trading, and that they made use of materials  
which must have been imported from distant lands. It  
would seem most likely that this was accomplished by  
means of these' expeditions, and that the shipmen did a  
little commerce when there was no satisfactory opportunity  
for plundering<sup>1</sup>. There is abundant evidence to show that  
*and con-  
exion with  
commerce.*

subdivision of the larger class of men who get their living by the chase. *Politics*,  
I. c. 8, §§ 7, 8. See also the Cyclops' enquiry of Ulysses:

“Οἱ ξεῖνοι, τίνες ἔστε; πόθεν πλεῖσθε; ὑπὸ κελευθα;  
“Η τι κατὰ πρῆξιν ἡ μαρυδίας ἀλάλησθε  
Οὐδὲ το λαϊστῆρες ὑπερίσηλα; τοι τ' ἀλόσωνται  
Ψυχὰς περθέμενοι, κακὸν ἀλλοδαποῖσι φέρονται.

*Od. ix. 253.*

Thucydides calls attention to this state of things as evidence of a very different  
state of feeling to that of his own day. I. c. 5.

<sup>1</sup> The life of Anschar (Migne, cxviii. 969) gives a good many interesting hints as  
to northern commerce in the ninth century. He built a church at Sleswick, which  
was one of the great trading centres, with the special object of reaching the  
merchants (c. 41); and missionary work suffered more than once from the  
depredations of pirates (cc. 16, 22, 29). The merchants of 'Byrca,' which is  
described as a very wealthy depot of trade, failed to organise resistance against a  
viking and his naval mercenaries (c. 28); fighting was so frequent that there was  
no security for property; and the bishopric of Hamburg was endowed with a cell  
in Flanders (c. 18), which was comparatively safe. There was very little  
improvement during the next two hundred years, for the close connexion between  
trade and piracy comes out in many of the Sagas. In *Harald Haarfager's Saga*,  
c. 88, it is related that Biorn went but little on war expeditions, but devoted  
himself to commerce with success (Laing, *Chronicle of Kings of Norway*, I. 806).  
In the *Saga of King Olaf the Saint*, c. 62, we read that the people "had much  
trading intercourse with England and Saxony and Flanders and Denmark, and  
some had been on viking expeditions, and had had their winter abode in Christian  
lands" (Laing, II. 62). The slave dealer would appear in each character alternately  
when on an expedition, or selling at a fair. See also Streatfield, *Lincolnshire and  
the Danes*, 101, 108.

B.C. 55—  
A.D. 449. in the fourteenth, and even in the sixteenth, century, commercial and piratical transactions were not completely differentiated; and we may take these early expeditions as the beginning of our merchant shipping, as well as of our naval prowess and attempts at colonisation.

*Temporary settlements and regular migrations.* It is not always possible to distinguish the ravages committed by such bands from the migrations of a tribe that found their quarters uncomfortably contracted; for the pirates might settle for a time as the best means of securing the spoils, and the fort thus formed become a centre to which their countrymen migrated; nor was very much more preparation required for the one expedition than for the other. Their wives and children were stowed in the wagons their oxen drew, so that a portion of any tribe could swarm off by land transit to quarters that were unpeopled or weakly defended, and their ships would give similar or even greater facilities. But we hear of cases where migrations were due to special causes which drove a tribe from its home; such was the migration of the Usipites from the neighbourhood of the victorious Suevi<sup>1</sup>; or of the Cimbri when driven from their homes on the Danish peninsula by the inundations of the sea<sup>2</sup>. The great incursions of the English into Britain were not improbably partly due to similar destructions of their homes; the people would thus be forced to migrate as a body, instead of merely sending out bands of marauders or comparatively small bodies of settlers. The first raids would however be made by bands of warriors; and each new wave of invasion which came from across the sea, or which rose among the English settlers and drove the Welsh farther and farther toward the West would be of the same type<sup>3</sup>. It was thus that the bold enriched themselves with spoil, or procured estates as the reward which the princeps bestowed on their valour.

*Summary.* There is great difficulty in piecing these various details together so as to get a real picture of the life of our ancestors in their German homes; for the different traits are so incon-

<sup>1</sup> Cæsar, *B. G.* iv. 1, 4.

<sup>2</sup> Bethmann-Hollweg, *Civil-Process*, iv. 105.

<sup>3</sup> *English Chronicle*, under 755.

sistent, that it seems strange that they could have been B.C. 55—  
combined at all. But the accounts of the migrations of the  
tribes forbid us to suppose that they had many slaves, and  
we are forced to believe that the warriors were not mere  
ruthless savages, but men who were capable of manual  
labour, and who were skilled in certain crafts. The hero  
was able to forge the blade with which he encountered his  
foe. It is strange perhaps to think of the warrior as ever  
betaking himself to the less stirring labours of husbandry,  
but Cæsar's language in regard to the Suevi is quite conclu-  
sive; nor are instances wanting in modern times of tribes  
that sustained themselves partly by the cultivation of their  
fields and partly by their plundering expeditions: for many  
years the people of Lower Bengal were subject to the ravages A.D. 1790.  
of hill tribes, who yet carried on agriculture of their own  
during the sunnier months<sup>1</sup>. The Angles, Saxons and Jutes  
had a love of adventure and were mainly engaged as warriors,  
but the very stories of their piratical expeditions themselves  
are inexplicable unless we recognise that the same men who  
fought so ruthlessly were skilful craftsmen, and were not  
wholly averse to tillage.

### III. THE CONQUEST OF BRITAIN.

28. The preceding paragraphs have described the con- *Britain in  
dition of our forefathers while they were still living in the fifth  
Germany and before they undertook the conquest of Britain;  
it is worth while now to turn to examine the state of the land  
where they fixed their new homes and see what they found  
on their arrival. This is a preliminary enquiry, on which  
we must enter before we face the difficult question how far  
the material progress of the English people was directly and  
deeply affected by their contact with the remains of Imperial  
civilisation in Britain. With regard to this we may anti-  
cipate the conclusion reached below and state that the  
historical evidence seems on the whole to show that the  
subsequent English civilisation was almost entirely a native*

<sup>1</sup> Hunter, *Annals of Rural Bengal*, 219.

A.D. 400—growth, though elements of Roman lore and skill were indirectly introduced among our countrymen at a later date, by Christian missionaries, and travelling merchants from the continent.

*The planting of a Roman Colony:*

*the inhabitants*  
*and estates.*

There can of course be no dispute as to the high civilisation which Britain had attained in the second and third centuries. It had been settled like other Roman colonies, and imperial officials had directed the development of its resources. The Roman citizens greatly coveted grants of the broad territories which were subdued by their legions<sup>1</sup>, and there was never much difficulty in planting a new *territorium* with such settlers; the tenure on which they held their estates was technically known as *possessio*<sup>2</sup>, since the land was theoretically resumable by the State, though as a matter of fact it was hereditary, and licence could be obtained for its alienation. But the old inhabitants were retained as *coloni*, the actual cultivators of the soil to which they were attached, though they had in other respects a considerable amount of personal freedom<sup>3</sup>. But the most important changes were those which were made on the actual land itself. All Roman *territoria* were laid out on one definite plan; roads were made both as great channels of communication, and for the purpose of tillage<sup>4</sup>; these roads served as the limits of the different *centuriae* (of about 200 acres each) into which each *civitas* was divided, while boundaries were marked by mounds, stones or trees, which defined in a permanent manner the limits of the various estates; the rectangular portions thus laid out by the Roman *agrimensores* were designed to be permanent divisions of the soil.

*Acclimatisation,*

The Romans were accustomed to introduce such plants and trees as they thought would flourish in any new colony; the cherry and the vine were brought to Britain by them, as in all probability were a great many forest trees, if the names they bear can be taken as evidence. Mr Coote thinks that some herbs were also introduced, and, among other

<sup>1</sup> H. C. Coote, *Romans of Britain*, p. 289.

<sup>2</sup> *Ibid.* op. cit. p. 49.

<sup>3</sup> *Ibid.* op. cit. p. 128.

<sup>4</sup> On the laying out of a colony see Coote, *Romans of Britain*, 42—119.

things, quickset hedges<sup>1</sup>. The whole country as far as A.D. 400—  
Hadrian's Wall was portioned out, and the amount of corn<sup>2</sup>—  
A.D. 577.  
produced must have been very great; the Roman settlers had  
built numerous cities, and introduced into them the muni-  
cipal and social institutions, to which they were accustomed  
in Italy. There is abundant evidence of the high civilisa-  
tion and large population which existed in the island under  
Roman occupation. The colonies of Londinium and Verulamium<sup>3</sup>—  
A.D. 61.  
possessed a population of which 70,000 were slaughtered in the days of Boadicea<sup>4</sup>. A later panegyrist<sup>5</sup> describes A.D. 297.  
the rich natural productions, the minerals, flocks and herds,  
the commercial facilities, and the revenues derived from  
them, while we also learn that there were fifty-nine cities in A.D. 250.  
Britain about the middle of the third century<sup>6</sup>.

But before the English had made any settlements in Britain this civilisation had received many rude shocks. We read in the pages of Bede how terribly the country suffered after the Roman generals had withdrawn the legions. "From that time, the south part of Britain, destitute of armed soldiers, of martial stores, and of all its active youth, which had been led away by the rashness of the tyrants never to return, was wholly exposed to rapine, as being totally ignorant of the use of weapons." When the Picts and Scots<sup>7</sup>.  
A.D. 401. X  
fell upon them and they were unable to defend the rampart which stretched across from Frith to Frith, it seemed that total destruction was inevitable. "Messengers were again sent to Rome, imploring aid, lest their

<sup>1</sup> *Neglected Fact*, 58. For a good summary of the effects of the Roman occupation, see C. H. Pearson's *England in Early and Middle Ages*, i. 55.

<sup>2</sup> According to Zosimus, lib. 8, page 145, eight hundred vessels were sent on one occasion to procure corn for the Roman cities in Germany.

<sup>3</sup> Tac. *Ann.* xiv. 38.

<sup>4</sup> Eumenius. *Et sane non sicut Britannis nomen unum, ita mediocris iacture erat reipublice terra tanto frugum ubere, tanto leta numero pastionum, tot metallorum fluens rivis, tot vesticibus questuosa, tot accincta portibus, tanto immensa circuitu.* *Panegyricus Constantio*, c. 11. *Merito te omnibus esali ac soli bonis Natura donavit, in qua nec rigor est nimius hiemis, nec ardor aestatis, in qua segetum tanta fecunditas, ut muneribus utrisque sufficiat et Cereris et Liberi, in qua nemora sine immanibus bestiis, terra sine serpentibus noxiis; contra pecorum mitum innumerabilis multitudo lacte distenta et onusta velleribus.*  
*Panegyricus Constantio*, c. 9.

<sup>5</sup> *Ἐχει πόλεις ἔπιστημον νθ'.* *Marcianus, Heracleota*, ii. c. 14.

A.D. 400— wretched country should be utterly ruined, and the name of a Roman province, so long renowned among them, overthrown by the cruelties of barbarous foreigners, might become utterly contemptible." But when the slight assistance sent in answer to this appeal was finally withdrawn, the ravages recommenced, till "at last the Britons, forsaking their cities and wall, took to flight and were dispersed. The enemy pursued and the slaughter was greater than on any former occasion, for the wretched natives were torn in pieces by their enemies, as lambs are torn by wild beasts. Thus being expelled their dwellings and possessions, they saved themselves from starvation by robbing and plundering one another, augmenting foreign calamities by their own domestic broils, till the whole country was left destitute of food, except such as could be procured by the chase<sup>1</sup>." Even if we make considerable allowance for rhetoric, and limit the description to the old Northumbria, in which Bede wrote and which was most exposed to the ravages of the Picts and Scots, the words show that a quarter of a century before the Jutes landed in Thanet Roman society in Britain was entirely disintegrated. Even during this brief period there was no opportunity for recovery, as the ravages of famine, and later of pestilence<sup>2</sup>, were added to those of their enemies; and the temporary plenty that ensued for a time did not serve to resuscitate the decaying civilisation. There was besides another cause of weakness, for two distinct parties can be traced in the Roman Province itself; in the person of Ambrosius there was a leader sprung from the old Arturian gens, and his patronymic has come to designate the ideal of Christian heroism; while Vortigern to judge from his Celtic name must have been of a very different stock. Wasted by famine and torn by faction, the Roman province of Britain seemed an easy prey to the 'heathen of the Northern Sea.'

*Resistance unsuccessful, but the conquered would not submit.*

29. All evidence goes to show that the Roman civilisation was completely disintegrated at the time when our forefathers began their invasion; but the Romans and Welsh, though

<sup>1</sup> Bede, *H. E.* i. c. xii. (Bohn's Series).

<sup>2</sup> *Ibid.* i. c. xiv.

they could not organise an effective resistance and repel the A.D. 400—  
attacks of the English tribes, were too proud to submit to A.D. 577.  
them. As one wave of invasion succeeded another the struggle was carried on; the battle of Deorham may be A.D. 577. — taken as the really decisive event; but that was not fought till a hundred and twenty years after the conquest of Kent. During all that time the struggle was continued with varying success and with occasional checks. Britain was not rapidly overrun by triumphant victors; but during these one hundred and twenty years, new bands of settlers came from across the sea, or made incursions from the lands which their fathers had won; and thus the country became theirs gradually, shire by shire or hundred by hundred. The precise course of that long-continued struggle may be best treated if it is regarded as a matter of local history. Local dialects help to identify the stock from which the precise band of settlers came; the boundaries of the shire sometimes serve to show the extent of the district which fell into their hands at some battle of which only the name is preserved; while the physical features of the ground may have a tale to tell for those who are skilled to read it<sup>1</sup> and so to reconstruct a forgotten story. The English advanced bit by bit, and the Romans and Welsh gradually gave way as they were worsted time after time by the brute courage of the heathen they despised; the survivors of what had once been a civilised province drew away farther and farther into the western parts of the island rather than submit. They clung desperately to the hope that English victories were a merely temporary chastisement, and they tried to withdraw to places of greater security till the time for which God had permitted this heathen tyranny was overpast<sup>2</sup>.

*Course of  
the long-  
continued  
struggle.*

*Gradual  
with-  
drawal.*

<sup>1</sup> Compare Dr Guest's excellent paper in the *Transactions of the Archaeological Institute*, 1849, on the *Early English Settlements in South Britain*.

<sup>2</sup> "To escape from their (the Saxon's) bloody yoke an army of British monks, guiding an entire tribe of men and women, freemen and slaves, embarked in vessels, not made of wood, but of skins sewn together, singing or rather howling under their full sails, the lamentations of the Psalmist, and came to seek an asylum in Armorica and make for themselves another country (A.D. 460—550). This emigration lasted more than a century; and threw a new, but equally Celtic population, into that portion of Gaul which Roman taxation and Barbarian invasion had injured least." Montalembert, *The Monks of the West*, II. 260. On

A.D. 400— It was not by any sweeping victories but by the gradual displacement which resulted during this long-continued aggression and retreat, that Roman civilisation was swept away from the greater part of Britain, almost as if it had never been. The centre of the Roman life had been in the towns, but the towns failed to maintain themselves against the invaders. The numbers and skill of the English were not so great that they habitually stormed the Roman defences and destroyed the wretched inhabitants, and the fate of Anderida was probably exceptional. The towns were not however safe places of refuge and could not even maintain a defence; for as soon as the invaders had secured the surrounding country they could ruin trade, even if they did not deliberately cut off supplies. One after another of the great cities which the Romans had built was deserted and decayed. The very sites of some were forgotten; Uriconium, one of the wealthiest of all, had wholly passed out of mind before it was discovered in 1857<sup>1</sup>; while in other cases where the name and site have survived there is clear evidence that the place ceased to be a centre of commercial and civilised life. Had Verulam preserved a continuous existence, there would have been no temptation for the population to migrate and build on the other side of the valley where S. Albans now stands. Even London itself must have suffered more completely from the effects of the English invasion than it did at the time of the Great Fire. The lines of the mediæval streets were preserved in 1666, and the new houses occupied the old sites and had the same frontage. But when English London first began to rise from the ruins into which the Roman city had fallen the streets were laid out differently; this seems to show that the older lines of traffic were blocked with débris<sup>2</sup> and that it was convenient to take a slightly different route. Even though the wall and streets of Chester remain; and though York, Lincoln and Leicester embody many relics of their Roman times, it is improbable that any of these served

X

*or at least destroyed as centres of commerce and civilisation.*

earlier intercourse between Britain and Armorica, see Bridgett, *History of the Holy Eucharist*, I. 28. An excellent illustration of this withdrawal is found in the legend of S. Beuno, quoted by Green, *Making of England*, 197.

<sup>1</sup> Wright, *Uriconium*.

<sup>2</sup> Loftie, *History of London*, I. 54.

as a city of refuge during the storms of the English invasion. A.D. 400—  
Still less likely is it that the orderly habits of civilised Roman  
life, and the practice of Christian rites were continuously  
maintained in these strongholds. The old civilisation had  
been so disintegrated that the attacks of the invaders could  
not be repelled, and it even failed to maintain itself in those  
centres where it had been most firmly established. There  
doubtless were many individuals who survived the battles  
but failed to escape, whose lives were spared, and who then  
lived to serve the conquerors in house or field; but Roman  
society with its language, law, commerce, administration and  
religion did not survive in any single locality. In the more  
northern parts of England there were districts which main-  
tained their integrity, like the kingdom of Leeds; and there A.D. 638.  
may have been in many other parts hamlets of cultivators  
who remained on their old lands<sup>1</sup>; but little else weathered  
the storm. There is no inherent improbability which need  
compel us to discount the story of destruction and devas-  
tation recounted by Bede, Gildas and Nennius. Despite  
the similarities between some English and some Roman  
institutions<sup>2</sup>, there is no such identity as to compel us to  
believe that the English habits were derived from the Romans  
or that our civilisation is other than a native growth. We  
owe a debt to Christian missionaries, to Danish adventurers,

<sup>1</sup> There are a good many Celtic names preserved in Cambridgeshire; the laws of the Thengs Gild (Cooper, *Annals*, I. 16) imply the continued existence of Welshmen round the town; for it does not seem in this case that 'wealh' merely means foreign to the gild. So too in Wessex itself it seems that some of the Britons were so far successful in resistance as to maintain a footing as landholders (Coote, *Romans of Britain*, 182). For there can be no doubt, that unless the slaughter proceeded from a mere ruthless love of destruction, the proportion of inhabitants who were preserved, in different districts, would vary. The traces of Welsh names are more numerous in Kent than in Sussex: and it seems not improbable that the conquest of the first kingdom was effected with comparative ease, and that there was in this case rather a usurpation than a conquest. In Northumbria the number of inhabitants preserved seems to have been considerable; while the new settlements in the northern part of that kingdom were few and far between. In Cumbria and Strathclyde the chief power remained in Celtic hands, though some of the invaders found homes for themselves in that district; such names as Cunningham in Ayrshire, Penninghame in Wigton, Workington, and Harrington in Cumberland, are evidence of these scattered settlements in a Celtic kingdom. The names of their villages are the chief indications of the tide of English conquest.

<sup>2</sup> See below, p. 104.

A.D. 400— to Flemish weavers, but there is little which we can ascribe  
 A.D. 577. to the direct influence of Roman civilisation surviving in  
 Britain.

*The gradual advance of the English,* 30. On the territory which was thus gradually vacated the successive tribes of English invaders settled themselves: they were forced to till the ground for supplies, while the war was still waging, and they were doubtless ready for a summons to take part in it if need were. The men of Kent had been established in their new homes for a century before the West Saxons succeeded in appropriating Bedfordshire<sup>1</sup>. The north folk and the south folk had held East Anglia many years before the East Saxons pushed their way into Hertfordshire and sealed the fate of Verulam<sup>2</sup>; the tide of conquest was still flowing forward long after the period of settlement had begun. It may of course have been true that the first English bands were not cultivators but mere plunderers who made raids on the Saxon shore, and that the mercenaries who took possession of Thanet persisted in drawing supplies from the fields of the Britons in Kent; but the very success of the English conquest rendered it impossible for the advancing tribes to obtain support unless they started tillage on their own account<sup>3</sup>. As each new district was appropriated, crops would be sown, and the arts of agriculture would be practised, in the same sort of way as had been done across the sea; and thus a firm basis was given for the operations of coming campaigns. There was nothing to tempt the English warriors in the remains of Roman cities<sup>4</sup>, and as they would have little use for the great roads they would often avoid them: they doubtless settled in little groups as Tacitus describes, as they were attracted by conveniences of wood and water.

*Method of assignment* So far as the actual process of apportioning the lands is concerned we shall not be far wrong if we rely on the statement of Tacitus as to their method of assignment<sup>5</sup> at an

<sup>1</sup> Green, *Making of England*, p. 123.

<sup>2</sup> *Ibid.* 109 n.

<sup>3</sup> Compare the accounts of the Danes ravaging the country and then settling in it. *English Chronicle*, 876 and 880.

<sup>4</sup> Stubbs, *Constitutional History*, I. 61.

<sup>5</sup> See above, p. 36.

earlier date, and take the practice of the Danes later on A.D. 400—  
as affording additional illustrations. A.D. 577.

Tracts of uncultivated land were apportioned to groups of warriors, and the groups settled here and there as they were attracted by wood or water, to enjoy their hard-earned holdings. The evidence of nomenclature seems to show that several men of the same sept<sup>1</sup> took up land together and formed a township; other groups may have been composed <sup>to groups of families,</sup> of those who had fought side by side before, and who were ready to go out and serve together again. The amount of land assigned to each such group would naturally depend on the number of the cultivators; and it would then be possible for them to proceed to begin the labour of tillage and assign a holding to each separate family<sup>2</sup>. Whether the arable holdings were apportioned once for all, or whether under a system of extensive culture they were reassigned every year, the method adopted would be similar. The allotment of acres in connexion with co-aration among the Welsh has been noted above<sup>3</sup>; and by similar means it to each of would be possible to deal out any convenient number of <sup>whom a holding of arable acres was dealt.</sup> arable acres, which would of course be intermingled to the various members of the group. The members were already organised for military discipline, and police responsibility; and the person who held a leading position for these purposes would have land assigned him “according to his dignity;” but most of the members would personally engage in the labour of tillage. Each would have a house and yard (*toft*) and such a share of land, extensively or intensively cultivated, as a team could plough; he would also have a claim to meadow grass for hay, and a right to pasture his oxen on the waste; but unless the whole account of the English Conquest of Britain has been greatly exaggerated we cannot suppose that so many of the old inhabitants were retained that the conquerors were able to rely wholly and solely on cultivation by dependents; it is much more

<sup>1</sup> Kemble, *Saxons in England*, 1. App. A.

<sup>2</sup> Bede habitually estimates land in this fashion. *Lives of the Abbots of Wearmouth*, §§ 4, 7.

<sup>3</sup> See p. 40, n.

A.D. 400—probable that when not required for warfare, they like the Suevi of former days undertook the actual labour of agriculture themselves. In any case some organisation was needed for directing the common work of the village, and the institutions of the village community as already described would serve the purpose; though in any group, where there was a leader who called them to arms, and who was responsible for good order he may probably have exercised some authority in the administration of rural affairs from the first<sup>1</sup>. The balance of historical evidence seems to be in favour of the opinion that the warriors as they settled formed townships; and that the freemen, who were ready to follow the king in arms, and to assist him by their judgment in the folkmoot were associated together under their military leaders, in villages for the purpose of carrying on the agriculture by which they lived.

A.D. 1086. This view is also confirmed by the survivals. The villages composed of freemen had so generally passed away before the time of the Domesday Survey that doubt has been thrown upon the existence of groups of cultivators in any other form than as hamlets of servile dependents<sup>2</sup>. But we are forced by the received accounts of the Conquest to suppose that the free warriors betook themselves to tillage, for there must have been a general displacement of population to allow of the introduction of a new speech, and the destruction of the Christian religion in the south and east of Britain. The continued existence of a numerous and generally diffused servile population of rural labourers would be incompatible with such sweeping changes.

When the lands they had conquered were apportioned among the warriors in townships, a considerable area remained, much of which was covered with forest<sup>3</sup>; but some of it would be inhabited, as in the case of any surviving Welsh hamlets. Over such land the king had very large claims, and some of it seems to have remained unalienated

<sup>1</sup> Earle, *Land Charters*, lxviii. lxxii.

<sup>2</sup> Sebohm, *Village Community*, 179. Compare the discussion of this point below, §§ 46, 47.

<sup>3</sup> Pearson, *Historical Maps*, 49.

as the ancient domain of the Crown; but he had also <sup>A.D. 400—</sup>  
<sup>A.D. 577.</sup> valuable, if somewhat indefinite rights, over the persons and property of the free warriors in their townships, as they could be summoned to fight, or might be heavily fined for various offences, or demands might be made for support. The power to exercise these rights was a valuable possession, and it formed the chief fund for national purposes. The king maintained the public servants and military officers by the temporary grant of land, or rather by the assignment of his rights—whatever they were, or a portion of his rights—within some particular area to one of his *thegns*<sup>1</sup>. The English thegn received his arms from the king, to whom they were returned at his death as a *heriot*; and he was supported by a grant of land, or rather of royal rights over some piece of land. The judicial rights over a few prosperous townships might be very valuable, while a grant of all the royal claims over a larger area of unoccupied forest<sup>2</sup> would yield but a poor income; perhaps the best return could be obtained where Welsh rural hamlets continued to exist through the storm of invasion and were allowed to continue to work their lands but on more onerous terms. Such hamlets would be specially important to the

*Temporary  
grants to  
thegns.*

<sup>1</sup> In thus devoting a portion of royal rights in land to public uses the English were perpetuating a custom which prevails in nomadic and half-settled communities. The power of a Kafir chief depends chiefly on the quantity of cattle he possesses, and with which he rewards his followers: and the young men of the tribe frequent his court and do *busa* as the *comites* attached to a leader. Compare a *Compendium of Kafir Laws and Customs printed for the Government of British Kaffraria*, 1858. The reports which were sent by Government officials describe many institutions which are curiously similar to Teutonic and Celtic ones. The judicial system, pp. 58, 74, the royal revenue, p. 29, the *wergilds*, p. 61, the position of married women, p. 54, are all of interest in this respect.

<sup>2</sup> King Alfred writes as if the owner of a temporary grant supported himself from the products of the waste. The illustration from the difference between *laenland* and *boeland* is well worthy to stand in a preface even to such a book as S. Austin's *Soliloquies*; and to us it is very instructive. "It is no wonder though men 'swink' in timber working, and in the outleading and in the building; but every man wishes, after he has built a cottage on his lord's lease, by his help, that he may sometimes rest him therein, and hunt and fowl and fish, and use it in every way to the lease both on sea and on land, until the time that he earn bookland and everlasting heritage through his lord's mercy. So do the wealthy Giver, who yields both these temporary cottages and the everlasting homes, may He who shapes both and yields both, grant me that I be mete for each, both here to be profitable and thither to come." *Blossom Gatherings in King Alfred's Works* (Jubilee Edition, Vol. II. Part II. page 84).

A.D. 400— invaders when they were found in districts where minerals could be worked, and when the inhabitants were skilled in mining and the working of ore. The smelting in the Forest of Dean is said to have been carried on continuously since Roman times<sup>1</sup>; and this is quite probable also in regard to the tin mines of Cornwall and the lead mines at the Peak. But the continued existence of these industries in special districts<sup>2</sup> carried on by men who had special rights, does not at all diminish the force of the evidence, which goes to show that there was a sweeping change throughout the country generally.

So far then as we can peer through the darkness and come to any conclusion as to the nature of the English settlements, it appears that though portions of the land were cultivated by dependents, free warriors connected by ties of kinship obtained their holdings as convenience dictated, and were associated together in the common work of agriculture.

#### IV. EARLY CHANGES IN ENGLAND.

A.D. 577—  
901  
*Through this long period there was*

*a gradual coalescence of kingdoms.*

31. The three centuries that elapsed between the battle of Deorham and the reign of Alfred contain little that attracts the interest of the ordinary reader. It requires an effort to realise that the lapse of time, in a period which is dismissed in a few pages, was really as long as that from the Spanish Armada to the present day. These centuries were marked of course by the planting of the Church in England, and by the consequent changes in thought and life introduced; they are noticeable too for the beginning of Danish invasion, and the new forms of energy that were called forth in imitation of their enterprise. But throughout the chaos of local and apparently fruitless struggles one change was steadily proceeding; the lesser states were being absorbed into the larger kingdoms, and the temporary superiority which the

<sup>1</sup> Craik, *Pictorial History of England*, i. i. 268.

<sup>2</sup> The special organisation of the miners and their position on royal forests all tends to confirm the view that they may be survivors of Welsh hamlets.

Bretwalda exercised over neighbouring kings was preparing A.D. 577—<sup>A.D. 901.</sup> the way for the recognition of the claim of Egbert to be king of all the English. This coalescence of the smaller kingdoms was the chief political change.

This process need not necessarily have made any great <sup>Growth of the power of the king</sup> change in the methods of cultivation, or in the status of the inhabitants. When two peoples were joined, more land would be available to the victorious king for the support of an enlarged comitatus; and the cultivators on such land would be reinstated, but under conditions that ensured their loyalty. In one respect however such fusion was of great importance. The power of the kingly office increased with the increase of his responsibilities<sup>1</sup>; and with the increase of his power, his ability to make valuable grants and the status of his personal attendants rose as well; the earl or even churl in a township was not so very far removed from a king whose realm consisted of only a few hundreds; but when the king ruled over several shires the case was different; and the thegns who were military and judicial officers of <sup>and of his thegns.</sup> these more powerful kings, came to have a much higher social status than they had at first; the churl or earl kept his old position, while that of the others had greatly improved. Thus we have the foundation of a new nobility, not of blood but of service and wealth.

32. The internecine warfare of the little kingdoms of the <sup>The</sup> heptarchy was a fatal obstacle to advance in civilisation; and <sup>Roman</sup> <sup>mission</sup> nothing contributed so strongly to the cessation of these struggles and the formation of a united English nation as the influence of the monks who came from Rome under the leadership of S. Augustine. Since the consolidation of the A.D. 597, separate tribes, and the first beginnings of really national councils are most closely connected with the ecclesiastical usages which the missionaries introduced, their work was indirectly of great economic importance; but it is also true that comparatively little economic advance can be ascribed <sup>had com-</sup> <sup>paratively</sup> <sup>little direct</sup> <sup>economic</sup> <sup>influence,</sup> to their direct and immediate influence. In Gaul, the Roman civilisation had so utterly decayed that the soil had to be reclaimed again, by clearing the forest and jungle; in that

<sup>1</sup> Kemble, *Saxons in England*, I. 147.

A.D. 577—  
A.D. 901. province the greatest material benefits directly accrued from the establishment of religious houses and the unremitting labours of the monks<sup>1</sup>. In more distant regions, where the Roman empire had never extended, the monks began engineering works, such as those which marked the countries which had formerly been subject to Imperial rule<sup>2</sup>. But the special needs of the English at the time of their conversion and the circumstances of their land were not the same as those of the Franks or of the Picts and Scots. They settled down to till their lands, and though they still sent out bands against the Welsh or engaged in struggles with one another, they had entirely relinquished the old roving life on the sea. So soon as commerce developed, the old Roman routes of communication were ready prepared for the use of the chapmen who began to traverse them, and Roman bricks lay ready to hand for the repair of Roman bridges and the construction of new towns where the Roman cities had stood. The trees which they had planted<sup>3</sup> would also remain and yield their fruit to the English settlers; altogether there are few material changes which need be directly traced to monastic enterprise and diligence, though particular places, like the fens round Crowland, owe much to their zeal. Still it is true that in England the chief economic influence they exercised was due to the constitutional changes they accelerated, and especially to the way in which they promoted the power of the king, and of his personal dependents.

*but accelerated constitutional changes.*

The fact that S. Augustine and the other leaders of the Roman mission came especially to the kings, and that Christianity was from the first a court religion, gave these teachers the position of royal dependents, closely analogous to that of the thegns<sup>4</sup>. As the one did service by fighting for

<sup>1</sup> Montalembert, *The Monks of the West*, II. 814.

<sup>2</sup> The civilising influence of the Columban Church among the northern tribes can hardly be exaggerated; each monastery which was planted became a living witness, to a wild age, of the excellence of a godly life of industry rather than of one of contemplative piety, artistic work and education. Many roads in Scotland were due directly or indirectly to the existence of monasteries. Skene, *Celtic Scotland*, II. 351. Innes, *Scotland in Middle Ages*, p. 146.

<sup>3</sup> See above, p. 52.

<sup>4</sup> Lingard, *Anglo-Saxon Church*, I. 171.

the king, so did the others intercede for him by their prayers, A.D. 577—  
 but while the military service could only profit the king A.D. 901  
 during this life, the prayers of God's priests might avail him Christian  
 in the place of death<sup>1</sup>. It thus became desirable to secure Priests as  
 the perpetual rendering of such service; and kings began to Thegns:  
 make provision for communities of priests, by granting them a piece of land, or rather rights over land, so that they might 'serve God for ever'. This land was secured to them by grants in means of a charter (*boc*), and thus royal rights which had perpetuity. hitherto been only temporarily assigned were granted away to the owner of *bocland*<sup>2</sup>.

As such grants were made out of public property for *how granted*; which the king was really trustee, they could only be made with the consent of the *witan*, and this may have been some protection against very frequent or very large grants; but as the kingdoms increased in size there was less possibility of a grand assembly of all freemen at the *witenagemot*; these were sometimes, in consequence, little more than a gathering of a few royal thegns, who did not put a very effective check on the disposition of the king.

The character of the numerous monasteries thus founded, sometimes on false pretences. which were each independent and not responsible to the head of an order, depended very much on the character of the ruling abbot; in some cases no real discipline was enforced, and the

<sup>1</sup> Montalembert, *The Monks of the West*, I. 45.

<sup>2</sup> It is not a little curious to notice that this, the chief economic influence of monasteries in England, did not occur from the planting of monasteries in Scotland. The Columban monasteries were endowed with land which was not alienated from the family which granted it, and the abbot was always selected from among the blood relations of the founder; the one who was highest in the monastic community was to succeed. It frequently happened however that a lay brother succeeded, or even a member of the clan, who had made no monastic profession at all; and thus the lands of the monasteries became secularised. The fundamental difference, which underlay all the questions between the upholders of the Scottish and Catholic usages at Whitby, was due to the fact that the one Church was organised on this tribal model, and the other on the territorial system which had come into vogue in the rest of Christendom. The subsequent history of the tribal Church in Scotland and Ireland proves the superiority of the latter system. Skene, *Celtic Scotland*, II. 68, 270, 365. Todd's *S. Patrick*, p. 158.

<sup>3</sup> The owner of *bocland* apparently exercised royal powers of jurisdiction subject to the fulfilment of certain specified duties; the important thing for the grantee was that the charter should grant the amplest privileges and that the obligations it imposed should be of the slightest—nothing more perhaps than the *trinoda necessitas*.

A.D. 577— pious purpose was only put forward as an excuse for securing  
 A.D. 901. land in perpetuity. These pretended monasteries were a source of grave scandal; but the advantages of a perpetual as opposed to a merely temporary possession were so great, that men were strongly tempted to endeavour to secure estates on these terms. Others succeeded in obtaining grants on the strength of an intention, which was never carried out, to found a monastery; and large portions of territory were disposed of, in what were little better than packed assemblies.

*Consequent national weakness.*  
 A.D. 734. This process had already gone on to a great extent in the Northumbrian kingdom in the time of Bede, whose letters to archbishop Egbert<sup>1</sup> give us very important information on the subject. He points out that most serious consequences

<sup>1</sup> The letters are worth quoting at some length. Bede advocates the establishment of additional sees, and continues, "Ac si opus esse visum fuerit ut, tali monasterio, causa Episcopatus suscipiendi, amplius aliquid locorum ac possessionum augeri debeat, sunt loca innumera, ut novimus omnes, in monasterium ascripta vocabulum, sed nihil prorsus monasticae conversationis habentia.....Et quia hujusmodi maxima et plura sunt loca, que, ut vulgo dici solet, neque Deo neque hominibus utilia sunt, quia videlicet neque regularis secundum Deum ibidem vita servatur, neque illa milites sive comites secularium potestatum qui gentem nostram a barbaris defendant possident; si quis in eisdem ipsis locis pro necessitate temporum sedem Episcopatus constitutat, non culpam prevaricationis incurere, sed opus virtutis magis agere probabitur.....Ne nostris temporibus vel religione cessante, amor timorque interim deseratur inspectoris, vel rarescente copia militie secularis, absint qui fines nostros a barbarica incursione tueantur. Quod enim turpe est dicere, tot sub nomine monasteriorum loca hi, qui monachicas vite prorsus sunt expertes in suam ditionem acceperunt, sicut ipsi melius nostis, ut omnino desit locus, ubi filii nobilium aut emeritorum militum processionem accipere possint: ideoque vacantes ac sine conjugio, exacto tempore pubertatis, nullo continentiae proposito perdurent, atque hanc ob rem vel patriam suam pro qua militare debuerant trans mare abeuntes relinquunt; vel majori scelere et impudentia, qui propositum castitatis non habent, luxuriae ac fornicationi deserviant. ....At alii graviore adhuc flagitio, quam aint ipsi laici et nullius vite regularis vel usu exerciti, vel amore praediti, data regibus pecunia, emunt sibi sub pretextu monasteriorum construendorum territoria in quibus suæ liberius vident libidini, et hec insuper in jus sibi hereditarium edictis regalibus faciunt ascribi, ipsas quoque literas privilegiorum suorum, quasi veraciter Deo dignas, pontificum, abbatum, et potestatum sæculi obtinent subscriptione confirmari. Sicque usurpati sibi agellulias sive vicis, liberi exinde a divino simul et humano servitio, suis tantum inibi desideris laici monachis imperantes deserviunt.....Sic per annos circiter triginta...provincia nostra vesano illo errore dementata est, ut nullus pene exinde præfectorum extiterit qui non hujusmodi sibi monasterium in diebus suæ præfecture comparaverit.....Et quidem tales repente ut nosti, tonsuram pro suo libitu accipiunt, suo examine de laicis non monachi, sed abbates efficiuntur." §§ 5, 6, 7. Haddan and Stubbs, III. 319.

must follow to the national economy from allowing the royal <sup>A.D. 577—</sup>  
 rights to be thus alienated. The king could no longer support <sup>A.D. 901.</sup>  
 an effective body of retainers and the nation would be left  
 defenceless; land given over to such men was of use neither  
 to God nor man; to allow a few men to monopolise such  
 possessions in perpetuity was to sap the national resources,  
 so that the army could not be maintained, or the veterans  
 rewarded. There is an interesting confirmation of Bede's  
 warning in the entire collapse of the Northumbrian kingdom <sup>A.D. 737.</sup>  
 so soon after his time; while Wessex, which ultimately  
 absorbed the whole Heptarchy, was so situated that it was  
 possible to keep up a more military life by grants of the  
 lands from which the Welsh were gradually driven back<sup>1</sup>.

33. We may then think of England as occupied by a <sup>self-sufficing</sup> <sub>villages.</sub>  
 large number of separate groups, some of which were villages  
 of free warriors, some estates granted on more or less favourable  
 terms; as in all probability there was comparatively little  
 communication between them, they would all be forced to  
 try to raise their own food and provide their clothing. The  
 mode of tillage and habits of work would be similar, what-  
 ever the precise status of the villagers might be; but the  
 information which has come to hand is very meagre, and most  
 of the direct evidence consists of some few phrases in laws,  
 and scattered hints in the legends of monastic saints. We  
 may however fill out the details by reference to Welsh and  
 Irish Laws which illustrate the habits of primitive tillage,  
 that is to say of tillage which is carried on by separate com-  
 munities, each of which is controlled by a single head<sup>2</sup> and  
 is chiefly self-sufficing and hardly depends on others for any  
 regular supply.

The most definite information however may be found in <sup>Their</sup> <sub>husbandry</sub>  
 the regulations made by Charles the Great for the manage- <sup>A.D. 812.</sup>  
 ment of his estates. They serve to show what was the ideal  
 which a prudent man kept before him—an ideal which  
 would serve with some slight variations, for Englishmen as  
 well as for Franks<sup>3</sup>. The actual inventory of the buildings,

<sup>1</sup> Lappenberg, *Saxon Kings*, i. 251. Evidence of the survival of the *principes* and *comites* in Wessex occurs in the *English Chronicle*, 755.

<sup>2</sup> Hermann, *Staatswirtschaftliche Untersuchungen*, 10—15.

<sup>3</sup> *De villis*, Pertz, iii. 184, and Migne, xcvi. 849.

A.D. 577.— and stock of seed on several estates is also of great interest,  
 A.D. 901. and he was careful to provide that there should also be skilled artisans on the premises, and that each establishment should be well stocked with all that was necessary for successful culture.

*Columban Monasteries.*

A.D. 607.

If we turn to our own country we find that the legends of English and Scottish saints contain many touches which help us to picture the condition of the uncleared land in which many monks reared their homes. The work which the conquering settlers had to do must have been similar, and their daily tasks must have closely resembled those of which we read in stories of life in the Scottish and British monasteries, which were the model villages of the time<sup>1</sup>. In the island settlements where they were partly protected from the ravages of their neighbours, these monks set themselves to lead a life of godly industry, and to commend their religion as much by the life they led as by the preachers they sent forth. We read in Bede's *History* how the monks of Bangor<sup>2</sup> all lived by the labour of their hands, and of disputes that arose about the sharing in labour<sup>3</sup>. The legends of many saints throw instructive light on these matters, but it is in the *Life of S. Columba* by his successor Adamnan<sup>4</sup> that we get the completest picture of such a monastery, and of the various arrangements it contained: its granaries and mill, its oven and all the other offices. Even in monastic communities which were endowed with estates well stocked with meat and men and which did not depend for subsistence on the labour of the brethren, many trades were carried on. We hear of Bede's own labours; of another who was an excellent carpenter, though but an indifferent monk<sup>5</sup>; of nuns

A.D. 679.

<sup>1</sup> Thus Bede writes in his *Lives of the Abbots of Wearmouth* (Stevenson's Translation, p. 609). "It was a pleasure to him, obediently to be employed along with them in winnowing and grinding, in milking the ewes and cows, in working in the bakehouse, the garden and the kitchen, and in every other occupation in the monastery..... Frequently, when he went out anywhere for the furtherance of the business of the monastery, whenever he found the brethren at work, it was his custom to join them forthwith in their labour, either by directing the plough handle, or working iron with the forge hammer, or using the winnowing fan in his hand, or doing something or other of the same sort."

<sup>2</sup> *H. E.* ii. c. ii.

<sup>3</sup> *H. E.* iv. c. iv.

<sup>4</sup> Reeve's Edition, notes, pp. 334—369.

<sup>5</sup> *H. E.* v. c. xiv.

at Coldingham who busied themselves with weaving<sup>1</sup>. We A.D. 577—  
A.D. 901. are justified in regarding each of these monasteries, and to some extent each of the villages, as a self-sufficing community where all the necessaries of life were provided in due proportion without going beyond the limits of the village itself<sup>2</sup>.

In early days there was in all probability so little regular *Trade hardly existed* trade that no village could rely on procuring necessary stores except from its own resources; the fact that they tried to do so serves to distinguish them from the most backward hamlet in the present day; the food came from their fields, and their herds; the flocks supplied the necessary clothing; from the waste land they got fuel, and there the swine lived on the acorns and mast<sup>3</sup>; honey held the place of sugar as a luxury. Salt was however a *except for one or two requisites such as salt.* requisite which could not be produced in many of the inland villages by the efforts of the inhabitants themselves, and which would therefore be a very profitable industry in those places where it was possible to obtain it. This was one article the desire of which would tend to bring about the existence of trade from the very first. Even the Arab<sup>4</sup>, who with his flocks and date palms, is largely provided for, still depends on the caravans for salt, and many of the English villages must have traded for it too. Till root crops were introduced, it was difficult, from lack of fodder, to keep a large herd of cattle all through the winter; and accordingly the meat for winter use was ordinarily prepared and salted down in the autumn. Unless the first English settlers were stricter vegetarians than is commonly supposed, or else were

<sup>1</sup> *H. E.* iv. c. xxv.

<sup>2</sup> This is more true of the Columban and Cistercian houses than of others. As Professor Middleton has pointed out to me, there is an interesting difference between the results of founding at any special place a Benedictine or a Cistercian Abbey. Benedictine monks were not as a rule handicraftsmen, and so even if a Benedictine monastery were set in the country, a town grew up round it with craftsmen to supply its wants. With the Cistercians this was not so, their monasteries were completely *self-sufficing*; every possible craft that could be was carried on by the monks or by the *conversi*, and so the Cistercian houses often remained in the solitude in which they were founded.

<sup>3</sup> The plentiful supplies which a waste might furnish can be gathered from the panegyric on Ely at the time of Hereward's defence, *Liber Eliensis*, ii. c. cv.

<sup>4</sup> Herzfeld, *Handelsgeschichte der Juden*, 13.

A.D. 577— well acquainted with the management of meadow land, they  
 A.D. 901. must have practised this system of salting down meat in autumn, and salt must have been a specially necessary article for their use.

*Methods of intensive tillage.*

34. There was not in all probability any remarkable change in tillage or industry during this long period. As has been said above extensive culture prevailed among some of the settlers in England, for otherwise it would be hard to account for the modified survival at Lauder<sup>1</sup> but it doubtless gradually yielded to the more convenient methods of intensive culture. For this purpose special fields were set apart; these were kept under crop with regular fallowing and they were marked off by large balks as permanent arable fields. There was besides a definite area of meadow land; but during winter all demarcations were removed so that the cattle might wander freely over the stubble and on the strips from which the hay had been cleared, as well as over other portions of the waste. It was an open field system of which traces still survive in many parts of England<sup>2</sup>.

*One field.*

But though the fields were thus permanently set apart for arable purposes it was not easy to go on taking crops from the same land year after year (the *one field system*) without seriously exhausting the soil<sup>3</sup>: and recourse was had to regular fallowing; according to the *two field system*, one of two arable fields was cropped each year, and one lay fallow; according to the *three field system*, two out of three arable fields were under crop each year and one lay fallow.

<sup>1</sup> Maine, *Vill. Com.* p. 95.

<sup>2</sup> Numerous survivals of this state of things can still be noted: the great turf balks which divided the fields from one another are still observable from the railway between Hitchin and Cambridge; within the present century the whole country between Royston and Newmarket is said to have been unenclosed; while a few isolated parishes, of which Laxton in Nottinghamshire is an example, are, or lately were, in this condition. In many parts of the continent there is not only evidence that common tillage has existed, but it actually holds its own.

So far as England is concerned the fullest description may be found in Mr Seebohm's excellent book on the *Village Community in England*. The maps it contains render the subject particularly clear.

<sup>3</sup> This persistent cultivation of the same land with the same crop is not unknown however. See Hanssen, *Agrarhist. Abhand.* I. 192. *Northern Rural Life*, 23. Oats was the crop which was grown for successive years in Scotland.

This three field system was eventually more common A.D. 577—  
than the other, as it gave better returns for the same work. A.D. 901.  
Early in the autumn of each year the husbandmen would  
plough the field which had been lying fallow during the  
summer and sow it with wheat, rye or other winter corn;  
in the spring they would plough up the stubble of the field  
on which their last wheat crop had been grown and sow  
barley or oats instead; the third field would still have the  
stubble of the previous barley crop till early in June, when  
it was ploughed over and left fallow till the time of autumn  
sowing.

	I Wheat (or rye) sown	II Stubble of wheat	III Stubble of barley (or oats)
Jan.			
March		Sow barley	
June			Plough and leave fallow
August	Reap	Reap	
October			Plough and sow wheat
	Wheat Stubble	Barley Stubble	

In the following year, field I. would be treated as field II. in the diagram, field II. as III. and III. as I., thus keeping up the rotation.

The two field system was similar; the fields might have <sup>and two</sup> <sub>field.</sub> been alternately wheat and fallow; though it appears that it was not unusual in Germany to alternate the crops also, and have wheat, fallow, barley, fallow in succession in each field<sup>1</sup>. The three field system really means higher farming—and in very sparsely-inhabited regions it may be impracticable; in some cases, it appears to have superseded the two field system and the change was easy enough. It was impossible <sup>Their</sup> <sub>respective</sub> advantages. to prepare the ground so as to sow a second crop of wheat immediately after the first, but there would be no difficulty

<sup>1</sup> Hanssen, *Agrarhist. Abhand.* I. 178.

A.D. 577— in getting the land ready for a spring crop if this was A.D. 901. desired. In this way it seems that the three field system is possibly an improvement on a two field husbandry, but the two systems have been carried on side by side in some districts, and the three field system never altogether superseded the other<sup>1</sup>. Throughout England generally both have given way to modern methods of *convertible* husbandry in which periods of grass growing alternate with arable culture<sup>2</sup>; and when this change took place the two field system—as the less elaborate—leaned itself more readily to the alteration, especially to the introduction of four-course husbandry<sup>3</sup>.

*Early use  
of the three  
field system  
in Ger-  
many and  
possibly in  
England.*

A.D. *circ.*  
700.

Though there is no positive evidence as to the precise mode of cultivation which was in vogue in early times, there is every probability that the three field system was not unknown. Hanssen quotes one instance of it in Germany in 771, and considers that it was the normal practice in the time and on the estates of Charles the Great<sup>4</sup>. The laws of Ine in regard to the amount of land to be kept under cultivation are not obviously relevant and are certainly not conclusive<sup>5</sup>, though there is one of them which renders it clear that some sort of open field cultivation was in vogue; when agriculture is carried on in such open fields there must be difficulty in providing the temporary fencing which is needed to keep the cattle off the growing corn or growing hay. King Ine's law provides as follows,—“If churls have a common meadow or other partible land<sup>6</sup> to fence, and some have fenced their part, some have not, and (cattle stray in and) eat up their common corn or grass; let those go who own the gap and compensate to the others who have fenced their part, the damage which there may be done, and let them demand such justice on the cattle as it may be

<sup>1</sup> Hanssen, *Agrarhist. Abhand.* I. 179.

<sup>2</sup> See below p. 469.

<sup>3</sup> Hanssen, *Agrarhist. Abhand.* I. 178.

<sup>4</sup> *Agrarhist. Abhand.* I. 152, 154.

<sup>5</sup> cc. 64, 65, 66 in Thorpe, *Ancient Laws and Institutions*, I. 144. The *Gebur* (Rect. Sing. Pers.) was to have seven acres of his 'yard' sown when he entered on possession, but was this a half or a third of the whole? In either case it was a small holding. Thorpe, I. 495.

<sup>6</sup> Obviously strips in the common arable fields.

right. But if there be a beast which breaks hedges and A.D. 577—  
goes in everywhere, and he who owns it will not or cannot A.D. 901.  
restrain it; let him who finds it in his field take it and  
slay it, and let the owner take its skin and flesh, and forfeit  
the rest<sup>1</sup>." This law gives us a very vivid picture of the  
early tillage; the fields undivided except by temporary fences, *Partible  
land*. and each churl's land lying intermingled with the rest. A  
holding of thirty acres would consist of sixty separate strips,  
of which under the three field system, twenty would be in  
cultivation each year. The strips were all intermingled in  
each of the great fields and only marked off from one another  
by narrow grass edging.

Each landholder also possessed the necessary stock for *Stock on  
the hold-  
ings*. working his land—a pair of oxen went with the ordinary  
villan's holding in the time of the Confessor. In all probability the tenants combined their stock and formed a strong team, like the manorial teams of eight<sup>2</sup> or twelve<sup>3</sup>, though we find mention of plough teams of very various degrees of strength<sup>4</sup> and we cannot suppose of some of them that they did very effective work.

The possession of draught oxen would have been useless *Pasturage*. unless the churl had the means of feeding them; for hay, they had the strips of meadow land, and for pasturage they had facilities for feeding on the common waste including the fallow field, and on the other fields between harvest and seed time<sup>5</sup>. There can be little doubt as to the manner in which agricultural processes were carried on, and the general type was probably almost the same whether the cultivators were servile or free.

Each separate group was thus in a position to raise its *Industry in  
a self-  
sufficing  
village*. own food supply; but it could also, in all probability, furnish its own industrial requirements from its own resources to a far greater extent than any agricultural village would do in the present day; each was almost entirely *self-sufficing*. It was in these early times an economic unit, with no buying

<sup>1</sup> *Laws of Ine*, 42. Thorpe, I. 129.

<sup>2</sup> This appears to have been the normal team.

<sup>3</sup> *Northern Rural Life*, p. 88.

<sup>4</sup> O. C. Pell in *Domesday Studies*, 187.

<sup>5</sup> Scruton, *Commons and Common Fields*, 4.

A.D. 577— and selling between its members,—like a household where each member gets a living and has to do what work there is, instead of undertaking so much definite work for so much pay. A lady's maid is engaged to do the dress-making for certain persons, and may have much or little to do; but she gets her living and a quarterly salary, and is not paid by the piece. When the village community is really a self-sufficing whole, the thatcher or smith<sup>1</sup> is a member of the body, and pursues his craft without payment either by the hour or piece, because his livelihood is secured to him in the form of so many bushels from each householder, by the custom of the village; he does what work is required in return for his keep. There are of course many advantages in the modern system by which a man is paid for what he does; on the other hand the poorer rayats in India might be able to contribute to the support of a village artisan, while they could not save so as to pay for work at the precise time they wanted it; there may be cases in which the balance of advantage still lies in the primitive method.

In English villages in the eleventh century the swineherd was commonly supported in this way; each *gebur* was bound to contribute six loaves towards his maintenance<sup>2</sup>. In the Welsh Laws we get minute regulations for co-tillage,—the contributions which were to be made for the common work, and the responsibilities and reward of the ploughman<sup>3</sup>. The *Brehon Laws* give us a still more complicated case of collective labour and rights in connexion with the use of a water mill<sup>4</sup>. All these regulations serve to illustrate the habits of life in any village which was a single economic unit, since buying and selling did not go on between the members, but each stood in a known customary relation to the rest. They had little if any external trade, and were practically self-sufficient and able to provide for all their ordinary wants from their own resources.

<sup>1</sup> *Gwentian Code*, I. xxxviii. *Leges Walliae*, I. xxi. *Ancient Laws of Wales*, 382, 817.

<sup>2</sup> Thorpe, *Ancient Laws*, I. 485.

<sup>3</sup> *Venedotian Code*, III. xxiv. *Leges Walliae*, II. xxx. *Ancient Laws of Wales*, 153, 801.

<sup>4</sup> *Ancient Laws of Ireland*, IV. 217.

35. There is no evidence that the early English villages A.D. 577—<sup>A.D. 901.</sup> valued their condition of self-sufficiency so highly as to try to check the development of trade, as has been done by German and Indian communities<sup>1</sup>. On the contrary we get the impression that pains were taken to foster intercommunication ; <sup>Beginning of internal trade.</sup> provision was certainly made for the proper conduct of trade ; the laws of Ine insist that chapmen were to traffic before <sup>circ. A.D. 700.</sup> witnesses, so that they might be able to prove their innocence when accused of theft<sup>2</sup>. One of Alfred's laws insists that chapmen were to present the men they intended to take with them before the king at the folk-moot, to explain how many there were, and to declare it when they had need of more<sup>3</sup>. In another case we read of the dealer who came across the <sup>circ. A.D. 690.</sup> march from another estate, and of the responsibility of those who gave him temporary shelter<sup>4</sup>. On the whole, protection was needed, for the presumption was against the honesty of the stranger. "If a far coming man or a stranger journey <sup>circ. A.D. 700.</sup> through a wood out of the highway, and neither shout nor blow his horn, he is to be held for a thief and either slain or redeemed<sup>5</sup>." Besides attending to the personal security of chapmen the kings always insisted on the duty of maintaining the roads and bridges<sup>6</sup> without which they would have been unable to exercise any authority throughout their dominions ; the four great roads soon received English names, and tracks connected them with many of the villages. The monasteries too were centres from which there was frequent communication, either to cells on outlying estates or to other churches in England and abroad, and the village life would become more comfortable as it ceased to be so entirely isolated.

<sup>1</sup> Von Maurer, *Markverfassung*, p. 179. We find traces of a complete protective system on the part of these *self-sufficing communities*, closely analogous to the protective system adopted later with the view of keeping England a *self-sufficing country*. The sale of rare products to other villages was strictly forbidden by their customs, and that of many chattels was only allowed after the villagers had had the refusal of them. Such protection may also be resorted to, not in the interest of native resources, but of native artisans. (Compare below, pp. 284, 392.)

<sup>2</sup> *Laws of Ine*, 25. Thorpe, i. 118.

<sup>3</sup> *Laws of Alfred*, 34. Thorpe, i. 82.

<sup>4</sup> *Laws of Hlothere and Edric*, 15, 16. Thorpe, i. 32.

<sup>5</sup> *Laws of Ine*, 20. Thorpe, i. 115.

<sup>6</sup> *Rectitudines Sing. Person.* i. Thorpe, i. 432. Earle, *Land Charters*, xxi.

A.D. 577— Reference has been made already to primitive trade in salt, but apart from this there were other ways in which the natural differences between localities must have made themselves felt ; metals could not be everywhere obtained—for the point of the wooden ploughshare, and for arms if for nothing else ; some wastes must have been more favourable for sheep and others for swine : some land for corn and some for meadow ; all such natural differences would render internal trade immensely advantageous<sup>1</sup>. These physical circumstances would make trade profitable, as soon as the social conditions which render trade possible, became general. As long as each village was hostile to every other, defended from the predatory incursions of neighbours, not by any respect for the property of others, but by the wide extent of its own waste, regular trade would seem to be impossible. Even then, however, the advantages of trade were so clearly felt that the boundary place between two or more townships came to be recognised as a neutral territory where men might occasionally meet for their mutual benefit, if not on friendly terms, at least without hostility. The boundary stone was the predecessor of the market-cross, and the neutral area round it, the market place<sup>2</sup>.

*The possibility of Trade.* A good deal of regular internal trade may go on, even in a country which is disturbed by constant feuds, and where every hamlet is liable to be plundered by the men from other villages. There is no reason for refusing to believe that there was a certain amount of internal trade from the earliest days of the English settlement. We may perhaps add that the market and its customs may have been instituted among the tribes before their immigration, and imported rather than developed here.

On the whole it seems that from very early times there must have been regular trade ; not indeed carried on from day to day, but still, in regular places at particular times ; not merely like the occasional visit of a ship to a savage island,

<sup>1</sup> Compare Aristotle's account of early bartering as distinguished from trading for the sake of profit: *ἢ μὲν οὐν τοιαύτη μεταβλητική οὐτε πέρα φύσιν οὐτε χρηματιστικῆς ἔστιν εἶδος οὐδέν. εἰς ἀναπλήρωσιν γάρ τῆς κατὰ φύσιν αὐταρκείας ἦν.* *Politics*, I. c. 9, § 6.

<sup>2</sup> Maine, *Village Comm.*, 192. Compare also Sir John Lubbock's *Origin of Civilisation*, p. 205, on the various functions which boundary stones have served.

but occurring at more or less frequent intervals which could A.D. 577—  
be anticipated, and for which preparation might be made. A.D. 901.  
And this introduces a most important step in advance; when men engage in labour, not for the sake of satisfying their own wants by the things they produce, but with a view to exchange, their labour results not only in chattels for their own use, but wares for the market as well. There is a farther change to be noted; while there is no opportunity for exchange, it is not so well worth while for anyone to preserve a surplus; a very abundant harvest is more likely to be prodigally used within the year, and so with all other supplies; but the existence of opportunities for trade makes it well worth while to gather a store that far exceeds any prospective need and to stow in warehouses for sale<sup>1</sup> all that need not be used by the producers to satisfy their immediate wants; the conditions are present which still further favour the accumulation of wealth.

36. The disorders of the three centuries which succeeded the battle of Deorham seem to have tended to the demoralisation of the victors; there is little evidence that the Christian English of the ninth century had advanced on their heathen forefathers in any of the arts of life, except in so far as they were subject to foreign influences. Some new forms of skill had been introduced by Christian missionaries; writing and illuminating on parchment with the brilliant colours which attracted Alfred as a child<sup>2</sup>, were arts that occupied the monks in the *scriptorium*, and some found employment in lock-making and other forms of working in metals. Glass beads had probably been used for ornament long before, but the use of window glass seems to have been due to Benedict Biscop in the seventh century<sup>3</sup>. "When the work was drawing to completion, he sent messengers to Gaul to bring over glass makers—a kind of workman hitherto unknown in Britain,—to glaze the windows of the church and its aisles and chancels. And so it happened that when they came they not only accomplished that particular work which was required of them, but from this

<sup>1</sup> Hermann, *Untersuchungen*, p. 25.

<sup>2</sup> Bede, *Lives of the Abbots of Wearmouth* (Stevenson's Translation), p. 607.

<sup>3</sup> Ascer's *Life of Alfred*, II. 450.

Ware-houses with a view to future trade.

A.D. 577.

Introduction of some new arts.

A.D. 675.

A.D. 577— time they caused the English nation to understand and learn this kind of handicraft, which was of no inconsiderable utility for the enclosing of the lamps of the church, or for various uses to which vessels are put<sup>1</sup>.” Other arts for domestic comfort which had been used in Roman Britain were reintroduced or revived at a later date but under similar ecclesiastical influence. The Abbey of Christchurch at Canterbury had an admirable water supply, which was thoroughly Roman in all its arrangements and fittings<sup>2</sup>, but it was not constructed till after the Norman Conquest.

*Water supply.*  
A.D. 715.

*Wearing.*  
A.D. 715.

The importation of vestments from abroad would give a considerable impulse to the feminine arts, as they then were, of weaving and embroidery. Aldhelm<sup>3</sup> describes most gorgeously woven brocades, though he does not speak of them as of native manufacture: but the art of embroidery soon took root<sup>4</sup>, and the English rapidly attained a high degree of skill which was maintained all through the middle ages.

*Decline in seamanship.*

This increased skill in ecclesiastical art is quite compatible with a decline in some of the arts of war in which they had formerly excelled. As an agricultural people, whose expeditions were chiefly directed against their neighbours and the Welsh, they had little occasion for a sea-faring life; and they had probably lost much of their skill in seamanship. It seems not impossible that Christian influence discouraged the pursuit of war as a trade<sup>5</sup>, and that the effective force of the people declined in this respect. At any rate they were compelled to cultivate arts they had apparently forgotten, when they were forced to resist the Danes; and to resist them by learning from them and trying to outstrip them. It was in this way that King Alfred set himself to revive the

*Ship-building revived.*  
A.D. 897.

<sup>1</sup> Glass had been manufactured in Britain in Roman times, but the art had died out; as it apparently did again, after being reintroduced in the seventh century. T. H. Turner, *Domestic Architecture*, i. 75.

<sup>2</sup> Willis, *Architectural History of Christchurch*, 160. Monks in Greenland had their cells warmed by pipes of hot water laid on from a natural hot spring close by. Major, *Zeni*, pp. lxxxvii, 17. Compare the Franciscans' Conduit at Southampton in 1290. Davies, *Southampton*, 114.

<sup>3</sup> *De Laudibus Virginitatis*. Migne, lxxxix. 114.

<sup>4</sup> *Liber Eliensis*, ii. c. lxiii.

<sup>5</sup> It is certainly curious to notice how soon the power of the Norsemen declined after their conversion was effected.

art of shipbuilding. "He commanded long ships to be built A.D. 577—  
to oppose the esks; they were full nigh twice as long as the  
others; some had sixty oars and some had more; they were  
both swifter and steadier and also higher than the others.  
They were shapen neither like the Frisian, nor the Danish,  
but so as it seemed to him they would be most efficient<sup>1</sup>."  
How far Alfred's new design was really an improvement or  
not it may be hard to say, as the first engagement near the  
Isle of Wight seemed to show that the West Saxons were not  
fit to manage them.

The Danes could doubtless have given him much instruction in the arts of navigation; the *Sagas* show that they made voyages at this time and during the succeeding centuries, which would hardly have been undertaken by any of the ancients, and were not repeated till the sixteenth century. Some, like the polar exploration of Halldor, would be regarded as remarkable expeditions even now<sup>2</sup>. On these voyages they had neither compass, nor any of the appliances of modern navigation, but they had ingenious, though rather rough and ready, methods of making observations. Distance <sup>Danish enterprise, A.D. 1286.</sup> they calculated by a day's sail, which was estimated at about twenty-seven to thirty geographical miles<sup>3</sup>; they guessed at the direction of the nearest land by letting birds escape and watching the direction of their flight<sup>4</sup>. They observed on one voyage<sup>5</sup> that the sun was above the horizon both night and day; on S. James' Day it was not higher when at the meridian "than that when a man lay across a six oared boat towards the gunwale, the shade of that side of the boat which was nearest the sun, fell on his face, but at midnight was it as high as at home in the settlement when it is in the north west." Rafn<sup>6</sup> has interpreted this as showing they were in 75° 46" north latitude, but it at any rate illustrates a primitive mode of nautical observation.

37. There were other respects in which King Alfred <sup>Voyages of discovery,</sup> was certainly anxious to learn from his foes; the Northmen

<sup>1</sup> *English Chronicle*, 897 (Bohn's Edition).

<sup>2</sup> Beamish, *Discovery of America*, 126.

<sup>4</sup> Macpherson, *Annals*, I. 261.

<sup>6</sup> *Antiqu. Americanae*, Abstract of Evidence, p. xxxix.

<sup>3</sup> *Ibid.* p. 53.

<sup>5</sup> Beamish, 127.

A.D. 577— even in his time had undertaken distant explorations and  
 A.D. 901. opened up important trading routes. It appears that in the ninth century they had regular trade from the Baltic to Arabia and the East by means of the rivers which run into the Caspian and Black Sea<sup>1</sup>; while they had also settlements in Iceland from which they afterwards made their way to Greenland and even explored some part of North America<sup>2</sup>. Alfred put on record<sup>3</sup> the accounts he received of the *voyage* of Ohthere, a whaler and owner of many reindeer, who dwelt in Helgeland in Norway and who had sailed, partly in hopes of procuring walrus tusks and partly as an explorer, till he rounded the North Cape and penetrated to the White Sea. He also voyaged along the coast of Norway and through the Sound<sup>4</sup>, whilst Wulfstan a Dane recounted how he had sailed up the Baltic to an East Prussian port<sup>5</sup>: but the interest which Alfred took in these more southerly voyages shows how little Englishmen then knew of the seas which were perfectly familiar to the merchants of the northern lands, from which according to Alfred a portion of their forefathers had emigrated.

English  
trade.

A.D. 796.

In so far as the English had carried on foreign trade at all it was with southern lands. An English merchant was sojourning at Marseilles early in the eighth century<sup>6</sup>; they apparently frequented the fairs of Rouen, S. Denys, and Troyes or elsewhere in the dominions of Charles the Great; the letter to Offa of Mercia in which he assures them of justice and protection is our earliest commercial treaty<sup>7</sup>.

<sup>1</sup> Worsaae, *Danes and Norwegians*, 108.

<sup>2</sup> See below, p. 86.

<sup>3</sup> Alfred, *Orosius* (Bosworth), § 13, p. 39.

<sup>4</sup> Alfred, *Orosius* (Bosworth), § 19, p. 47.

<sup>5</sup> Alfred, *Orosius*, § 20, p. 50.

<sup>6</sup> Lappenberg, *England under Saxon Kings*, II. 364.

<sup>7</sup> De peregrinis vero, qui pro amore Dei, et salute animarum suarum beatorum limina Apostolorum adire desiderant, sicut olim perdonavimus, cum pace sine omni perturbatione vadant, suo itineri secum necessaria portantes. Sed probavimus quosdam fraudulenter negotiandi causa se intermiscerent: lucra sectantes non religioni servientes. Si tales inter eos inveniantur locis opportunis statuta solvant telonea; ceteri absoluti vadant in pace. De negotiatoribus quoque scripsisti nobis, quos volumus ex mandato nostro ut protectionem et patrocinium habeant in regno nostro legitime, juxta antiquam consuetudinem negotiandi. Et si in aliquo loco injusta affligantur oppressione, reclamant se ad nos, vel nostros judices, et plenam jubebimus justitiam fieri. Similiter et nostri, si aliquid sub

But Englishmen habitually passed still further south, and a <sup>A.D. 577—</sup> year in which the usual communication with Rome did not <sup>A.D. 901.</sup> take place seemed to deserve special mention from the Chronicler<sup>1</sup>: Alfred had gone there as a boy, when his father <sup>A.D. 858.</sup> visited the Pope accompanied by a large train of attendants<sup>2</sup>. His emissaries at a later time undertook a still greater enterprise when Sigebert bishop of Sherbourne travelled to India itself with King Alfred's gifts to the shrine of S. Thomas, and brought back many brilliant gems on his return<sup>3</sup>.

The particular trade of which we hear most during these <sup>The slave trade</sup> centuries is traffic in slaves—not necessarily because it was the most important, but because it was obnoxious to Christian sentiment. We may well remember that it was the sight of English slaves in the market at Rome which first touched the <sup>A.D. 578.</sup> heart of Gregory as a deacon and made him desire to send the gospel message to our distant isle<sup>4</sup>. But we feel that the trade must have been generally prevalent in districts where *ancillas* and *servi* were used as money, and payments were reckoned in terms of slaves<sup>5</sup>. From very early <sup>circ. A.D. 700.</sup> times penalties were imposed on those who sold their countrymen, bond or free, over the sea, "though he be guilty"<sup>6</sup>: and it was reiterated that Christians' should not,

*vestra potestate injuste patientur, reclamant se ad vestras sequitatis judicium, ne aliqua inter nos tres aliquid oboriri possit perturbatio.* Haddan and Stubbs, *Councils*, III. 496.

<sup>1</sup> *English Chronicle*, 889.

<sup>2</sup> *Asher's Life of Alfred (Church Historians)*, II. 445.

<sup>3</sup> William of Malmesbury, *Gesta Pontificum*, II. 80. Some doubt has been cast on the truth of this story by the fact that it is not mentioned in the life of Alfred by Affer, who does not speak of direct communication with any more distant potentate than the patriarch of Jerusalem. See his *Annals in Church Historians of England*, II. p. 472. But Pauli points out that the journey was not more impracticable than that of Charles the Great's emissaries to Bagdad, and that the report of that exploit might have stimulated him to this undertaking. *Life of Alfred*, 146.

<sup>4</sup> There is some reason to believe that this iniquitous traffic with Italy was carried on in Christian times. Compare Haddan and Stubbs, *Councils*, III. 881.

<sup>5</sup> For the use of slaves compare Haddan and Stubbs, *Councils and Documents*, II. 127, where canons are quoted in which payments are reckoned in *ancille* and *servi*. See also *Ancient Laws of Ireland*, I. p. xlvi. *Cumhal* (originally a female slave) is constantly used as a measure of value. See below p. 116.

<sup>6</sup> *Laws of Ine*, 11. Thorpe, I. 111.

<sup>7</sup> The redemption of slaves was a recognised form of Christian benevolence, S. R. Maitland, *Dark Ages*, p. 88. S. Eligius while still a leading man at the court of Dagobert, spent large sums in redeeming slaves by twenty, thirty, fifty or even a hundred at a time, *Vita S. Eligii* (Migne, LXXXVII. 487). The monks

A.D. 577—<sup>A.D. 901.</sup> at any rate, be sold into a heathen land<sup>1</sup>, but despite the frequent fulminations by ecclesiastical and civil authority the trade appears to have continued. It existed in all its horror at Bristol<sup>2</sup> at the time of the Conquest<sup>3</sup>; and if we may trust Giraldus Cambrensis it had not been stamped out in the twelfth century<sup>4</sup>. The Irish bishops incited their flocks to boycott the English slave dealer in 1172. From the accounts of the early fairs in Germany it almost seems as if they could have been little else than slave marts<sup>5</sup>, and it may well be that at the fairs which the northern merchants held on the shore<sup>6</sup>, the captives they had kidnapped<sup>7</sup> formed the staple article of trade.

of Jumièges in the seventh century fitted out vessels in which they sailed great distances to redeem captives and slaves. Montalembert, II. 501. See also *Vita Anscharii*, cc. 21, 66 (Migne, cxviii. 975, 1007). Missionaries also adopted the plan of purchasing young heathen slaves, whom they trained as Christians, *Vita Anscharii*, c. 63 (Migne, cxviii. 1005).

<sup>1</sup> *Laws of Ethelred*, v. 2, vi. 9, viii. 5. Thorpe, I. 805, 817, 838. *Theodori Pænitent. xlii.* 4, 5. Thorpe, II. 50. *Excerpt. Ecgberti*, cl. Thorpe, II. 124. *Pænitent. Ecgberti*, iv. 26. Thorpe, II. 213. On the trade as carried on in the fairs of Champagne, see Bourquelot, *Mémoires Acad. des Inscriptions*, II<sup>me</sup> Serie, v. i. 809; he explains that Jews were the agents who sold Christian slaves to the Mussulmans of Spain and Africa, in the eighth and ninth centuries; the trade at Montpellier in Saracen slaves and slave girls lasted till the fifteenth century. On the Eastern trade, see Heyd, II. 548.

<sup>2</sup> *Vicus est maritimus, Brichstou dictus, a quo recto cursu in Hiberniam transmittitur, ideoque illius terræ barbariei accommodus. Hujus indigenæ cum ceteris ex Anglia causa mercimonii, sepe in Hiberniam annavigant. Ab his Wlstanus morem vetustissimum sustulit, qui sic animis eorum occalluerat, ut nec Dei amor nec Regis Willelmi haec tenus eum abdere potuissent. Homines enim ex omni Anglia coemptos majoris spe quæstus in Hiberniam distrahebant; ancillasque prius ludibrio lecti habitas jamque prægnantes venum proponebant. Videres et gemeres concatenatos funibus miserorum ordines et utriusque sexus adolescentes: qui liberali forma, estate integra barbaris miserationi essent, cotidie prostatui, cotidie venditari. Facinus execrandum, dedecus miserabile, nec belluini affectus memores homines, necessitudines suas ipsum postremo sanguinem sum servituti addicere.* William of Malmesbury, *De Vita S. Wlstanii*, II. 20, in Wharton, *Anglia Sacra*, II. 258.

<sup>3</sup> See also the tolls at Lewes in *Domesday*.

<sup>4</sup> *Exp. Hb.* I. c. 18.

<sup>5</sup> G. J. Thorkelin (*Essay on Slave Trade*) has collected many incidental notices of this trade in Germany and the North: "Helmold beheld at once in the market at Mecklenburgh no less than 7000 Danes exposed to sale," p. 9.

<sup>6</sup> Worsaae (*Danes and Norwegians*, 100) states that merchants from all parts assembled at the annual fair at Elsinore: "booths were erected along the shore; foreign wares were bartered for fish, hides and valuable furs; whilst various games, and all sorts of merry-making took place." A similar fair was formerly held at Scarborough.

<sup>7</sup> The opening of the *Saga of King Olaf Tryggvesson*, c. 5, gives an interesting

## V. DANES.

38. The Danes were the first of the foreign shoots A.D. 787—  
 which were grafted into the English stock; many circum- A.D. 1066.  
 stances have combined to make us neglect the importance <sup>A vigorous</sup>  
 of the fresh life that we then received. We have been too <sup>element</sup>  
 accustomed to view the Danes with the eyes of our own <sup>introduced</sup>  
 chroniclers—as cruel plunderers<sup>1</sup>, who destroyed churches,  
 and amassed treasures at the expense of peaceful citizens;  
 we admire the heroism of Alfred the Great and his enthusiasm  
 for the promotion of skill and enterprise, but we forget that  
 the English people were even then so enfeebled that half <sup>among the</sup>  
 their country had been wrested from them; and though his <sup>enfeebled</sup>  
 immediate successors obtained a widely extended supremacy, <sup>English.</sup>  
 the kingdom fell at length into the hands of a better man.  
 When the line of Wessex re-appeared in the person of the A.D. 1042.  
 Confessor, he could not trust to native administrators;  
 Danes still filled important posts and Norman habits began  
 to supersede the older usages. Despite the success of Egbert  
 and the genius of Alfred, the English had not been fused  
 into a united, well ordered polity; and the state of the Church A.D. 960.  
 in S. Dunstan's time gives an unfavourable impression of the  
 whole tone of Society. The English had settled down, they  
 had adopted Christianity, but they had not preserved the  
 picture of the times. When a boy the vessel in which he and his mother were  
 sailing under the care of some merchants was attacked by vikings, "who made  
 booty both of the people and goods, killing some, and dividing others as slaves.  
 Olaf was separated from his mother, and an Esthonian man called Klerkon got  
 him as his share, along with Thoralf and Thorkils. Klerkon thought that Thoralf  
 was too old for a slave, and that there was not much work to be got out of him,  
 so he killed him; but took the boys with him, and sold them to a man called  
 Klaerk, for a stout and good ram. A third man called Reas bought Olaf for a  
 good cloak." Laing, *Chronicles*, i. 371.

<sup>1</sup> The cruelty with which Roger Hoveden and the author of the life of S. Elphege charge the Danes is thus explained by Thorkelin: "The Danes had no market for slaves in England, and they could neither give a share of their provisions to their captives, nor detach a body of men from the army to keep in order such an immense number of slaves, whom they knew would undertake anything that might restore them to liberty, and enable them to harass their enemy. Under such circumstances the barbarians had no other alternative than to put their captives to death—death was perhaps far preferable to a diseased life consumed in a horrid dungeon, which has often been the case." *Essay on Slave Trade*, p. 29.

A.D. 787.— spirit of enterprise and the eager activity which still characterised their kin beyond the sea.

*Norse trade with the East.* In order to form any fair estimate of the importance of the element which was thus grafted into the English stock we must turn our attention to the condition of the Danes and Norsemen, and the proofs of their extraordinary vigour and enterprise, at the very time when so many of the race were settling in England. They had opened up a vast commerce with the East, by the Russian rivers and the Caspian or the Black Sea; amber was probably the chief article of export and the precious metals were brought in return. Large numbers of Arabian coins have been dug up; "in Sweden, and particularly in the island of Gothland, such an immense quantity of these has been found at various times, that in Stockholm alone above twenty thousand pieces have been preserved, presenting more than a thousand different dies, and coined in about seventy towns in the eastern and northern districts of the dominions of the Caliphs . . . . It was the trade with the East that originally gave considerable importance to the city of Visby in Gothland; and it was subsequently the Russian trade that made Visby, in conjunction with Novgorod, important members of the German Hanseatic League. As long as the Arabian trade flourished Gothland was the centre of a very animated traffic. Even now an almost incredible number of German, Hungarian and particularly Anglo-Saxon coins, of the tenth and eleventh centuries, is dug up in the island. The collection of coins in Stockholm comprises an assortment of Anglo-Saxon coins, mostly the product of these discoveries, which, for extent and completeness surpasses the greatest collections of the sort, even in London and England<sup>1</sup>." Political disturbances in the eleventh century gave a considerable shock to this trade however; the Italian depôts obtained a large share of the traffic after the Crusades and the re-opening of a route somewhat similar to the old one, by the Russian Company, was one of the principal commercial events in the sixteenth century.

A.D. 1558.

<sup>1</sup> Worsaae, *Danes and Norwegians*, 108. This is no longer the case; the collection in the British Museum is second to none.

In the north and west their achievements were still more remarkable and bear witness to the boldness of their seamanship. In 874 the colonisation of Iceland began and proceeded with great rapidity, so that Harold Haarfager feared that Norway would be depopulated. They found parts of the island already occupied by some men such as those who in frail coracles, made of two hides and a half, and with only a few days' provisions, left their home in Ireland whence "they had stolen away because they desired for the love of God to be in a state of pilgrimage they recked not where<sup>1</sup>." The Irish monks, like their Welsh brethren, deserted the island when it was invaded by heathens<sup>2</sup>, and the Danes had soon occupied the whole of it with their settlements.

From Iceland they pushed still farther away; storm-driven mariners had brought back reports of a land in the west. Eric the Red, who had been banished from Norway for one murder and from some parts of Iceland for another crime, was forced to set out on a voyage of exploration; after two years he returned with the intention of getting companions to form a settlement. He called the land which he had found "Greenland 'because' quoth he 'people will be attracted thither if the land has a good name'." The fleet of colonists suffered much from a storm, but enough escaped to found two settlements in 985<sup>3</sup>.

In the following year Bjarni, the son of one of the colonists, set sail with the view of joining his father in Greenland. After three days' sail, he got into a fog, and was driven for many days by the north wind; at last they sighted land, but they did not go ashore as from its appearance they were sure it was not Greenland; they worked their way northwards in the open sea, but returning at times to the

<sup>1</sup> *English Chronicle*, 891 (Bohn).

<sup>2</sup> "At that time was Iceland covered with woods between the mountains and the shore. Then were here Christian people whom the Northmen called Papas, but they went afterwards away because they would not be here among heathens, and left after them Irish books and bells and croziers from which could be seen that they were Irishmen. But then began people to travel much here out from Norway until King Harold forbade it because it appeared to him that the land had begun to be thinned of inhabitants." *Schedae of Ari Frode*. Beamish, *Discovery of America*, 175.

<sup>3</sup> *Saga of Erik the Red*. Beamish, 49.

A.D. 797—coast, and thus saw lands which have been identified as Connecticut, Long Island, Rhode Island, Massachusetts, Nova Scotia (Markland) and Newfoundland (Helluland). When at last Bjarni reached Greenland his lack of curiosity in not having gone ashore became a matter of reproach to him. Leif the son of Eric the Red was determined to carry on the work of discovery; he visited the lands Bjarni had sighted, and wintered in Mount Hope Bay near Cape Cod<sup>1</sup>. They called the place Vynland, as a German sailor recognised grapes among the products of the country; none of the others had seen them before, but he was familiar with them on the Rhine. In 1007 an attempt was made from Iceland to establish a regular settlement in Vynland and occasional communication was kept up for some time. Curiously enough the Danes appear to have been anticipated in this settlement also by the Irish—not indeed by ecclesiastics; how or when the first Irish emigrants crossed the Atlantic is unknown<sup>2</sup>, but a country somewhat south of Vynland was commonly referred to as Great Ireland, and there are a curious number of survivals which confirm the evidence of *Sagas* on this point. As to the Danish expeditions, the evidence is irrefragable and it is amply confirmed by monuments and runic inscriptions at different points on the American coast<sup>3</sup>. We may certainly feel that it was a most important thing for the future of England, that a large area of our land was peopled with men who could plan and carry out such explorations as these.

*Danish influence.* 39. Of the Danes as mere plunderers it is unnecessary to say more<sup>4</sup>; the changes which were made by the Danes as conquerors are of constitutional rather than economic

<sup>1</sup> Beamish, p. 63.

<sup>2</sup> Mr Beamish suggests that it may have been in the fourth century when the Irish made such vigorous attacks on Roman Britain, p. 218.

<sup>3</sup> The later history of these settlements is somewhat obscure; in 1121 Bishop Eric of Greenland visited Vynland (Beamish, 149); in 1347 a ship is mentioned as coming from Markland (Nova Scotia). We read of intercourse as late as the end of the fourteenth century in the work of a Venetian named Zeno; the genuineness of this has been much disputed, but it seems to have been established by Major, *Voyages of the Zeni* (Hakluyt Society). The Greenland colony received little assistance from Europe in the latter part of the fourteenth century, and seems to have been almost destroyed by the Esquimaux about 1418. Major, *Zeni*, p. lxvi.

<sup>4</sup> See above p. 49.

interest but the influence which was exercised by the Danes A.D. 787—  
as settlers demands attention. It is certainly noticeable that A.D. 1066.  
the Danelagh, as defined in the time of Alfred, including as A.D. 879.  
it did East Anglia and Yorkshire, has contributed so much  
to English industrial success; while a closer study would  
show that the ports on other coasts, where commerce has *its extent*.  
been ardently pursued, have had a large infusion of Danish  
or Northern blood<sup>1</sup>. The numbers who came to this country  
were so great that they really formed an important element A.D. 911.  
in the population. Rollo and the Northmen who took posses-  
sion of Neustria, were plunderers transformed into conquerors,  
who lorded it over the existing inhabitants; but in England  
part of Lincolnshire became completely Danish and the north  
eastern side of Watling Street was so largely populated by  
Danes that their customs superseded those of the English.

There were not of course the same difficulties in the way *Amalga-*  
of amalgamation between the Danes and the conquered *mation.*  
Angles, as had been felt when the English overcame the  
Romanised Welsh, since both came of the same stock; but  
there may have been some displacement of population, espe-  
cially in Lincolnshire. In the Danish raids many English  
lives must have been sacrificed, and such of the younger  
generation as were spared and were deemed superfluous  
would find their way to slave marts across the sea; but  
after all England was probably not so thickly populated  
that the Danish settlers need have had much difficulty in  
finding room for themselves.

Their rural settlements were probably very similar to *Character*  
those which the English had made; many of them are *of their*  
easily distinguished by the forms of the name, and especially *settlements*  
by the familiar termination in *-by*. There seems to be a con-  
siderable proportion of villages which take their names from  
persons<sup>2</sup>, rather than from septs, and perhaps this might  
throw some light on the character of the invading bands in  
the English and Danish conquests respectively. The villages *in large*  
in the Danish parts of England are comparatively large; as *villages*  
was the case in Denmark also, where there were few isolated

<sup>1</sup> Compare the map in Dr Taylor's *Words and Plans*.

<sup>2</sup> Streatfield, *Lincolnshire and the Danes*, c. v.

A.D. 787— homes, or small hamlets. One other characteristic feature A.D. 1066. is observable in the great *Survey*; in the Danish counties, such as Lincolnshire and in East Anglia, a very large proportion of freemen still survived<sup>1</sup>. In the English counties they were no longer found in any considerable numbers; but we are not therefore forced to conclude that they had never existed, especially when we remember that they had been exposed to centuries of warfare with one another and with pirates, while the Danish settlers had not suffered in the same way.

*The Danes  
and the  
beginning  
of towns.*

40. More important however than the planting of new villages is the fact that it is from the time of the Danes that we may trace the beginnings of our towns. The towns were indeed little better than more thickly populated villages, and most of the people lived by agriculture; but still the more populous places may be regarded as towns, since they were centres of regular trade. The Danes and Northmen were the leading merchants, and hence it was under Danish and Norse influences that the villages were planted at centres suitable for commerce, or that well-placed villages received a new development.

*The five  
burghs.*

In some cases the proof of this is easy; the evidence is partly constitutional. The five Danish burghs, Stamford, Derby, Leicester, Nottingham, and Lincoln, with the Lawmen of whom we read in *Domesday*, seem to have had the most completely organised municipal government which is mentioned in that record. The Danes have left their mark in other towns as well, notably in London itself, where the 'husting' shows the part they took in its government; there were 'lawmen' in Cambridge too. There is also some ecclesiastical evidence; for the dedications to S. Olaf and S. Magnus in York or Exeter or Southwark point to a Danish origin just as clearly as the name 'S. Clement Danes'<sup>2</sup> suggests that this church was originally built for a Danish community. There seems also to be a sign of Danish influence in the improved legal status which was granted

<sup>1</sup> Compare the maps in Mr Seeböhm's *Village Community*, p. 86.

<sup>2</sup> S. Clement, with his anchor, was obviously a suitable patron for seafaring men.

to merchants in the tenth century; among the Danes A.D. 787—  
A.D. 1066. trading was a profession worthy of a prince, and the merchant and his crews were honourably welcomed<sup>1</sup>. There is a reflection of this feeling in the doom which declares 'that if a merchant thrived so that he fared thrice over the wide sea by his own means, then was he thenceforth of thane-right worthy<sup>2</sup>'.

Hitherto English foreign trade had been chiefly with *New lines of English commerce.* southern lands, and the Danes were instrumental in enabling them to open up commerce with the trading settlements of the Northmen; Chester and Bristol came into communication with Dublin<sup>3</sup> and with Iceland; and this intercourse must have been considerable as in that northern island a law was passed with regard to the property of English traders who died there<sup>4</sup>.

41. During the period between the death of Alfred and *Internal trade.* the Norman Conquest there were conditions under which

<sup>1</sup> *Saga of Thorfinn Karlsefne.* Beamish, p. 85.

<sup>2</sup> *Ranks*, 6. Thorpe, i. 193.

<sup>3</sup> The influence of the Northmen in Ireland gives an instructive parallel to their doings in England; despite the communication with the continent, of which we have evidence (Montalembert, *Monks of the West*, II. 391), there can have been little trade in Ireland during the halcyon days of Scottish civilisation there. Despite the power and enthusiasm of Scottish Christianity, it never succeeded in introducing stable conditions for the development of secular industry and commerce; it even gave new excuses for tribal warfare, as when in 562 A.D. half Ireland engaged in battle about the possession of a psalter (Ibid. III. 125). Even the monks were sometimes drawn from their arduous manual and literary labours to take part in warfare in 516 A.D. (Ibid. III. 803). It seems also to be generally held by numismatologists, though Dr Petrie dissents (*Round Towers*, 212), that the people of Ireland had minted no coins of their own before the Northmen began to settle among them, and hardly any specimens of Roman or early English and continental coins are found there; if so, their commerce was certainly unimportant. Though they were brave and skilful sailors the nature of the coracles they habitually used was unsuited for trade. (Montalembert, III. 218.) It is quite unlikely that under these circumstances there was any great development of industry or commerce. On the other hand unconscious testimony to the civilising influence of the Northmen is borne by the Irish chronicler who relates that after the battle of Clontarf "no Danes were left in the kingdom, except such a number of artisans and merchants in Dublin, Waterford, Wexford, Cork and Limerick, as could be easily mastered at any time, should they dare to rebel; and these King Brian very wisely permitted to remain in these seaport towns, for the purpose of encouraging trade and traffic, as they possessed many ships, and were experienced sailors." Quoted by Worsaae, *Danes and Norwegians*, 887.

<sup>4</sup> Lappenberg, *England under Saxon Kings*, II. 364.

A.D. 787—internal trade would develop; as there was more of a union in name at least between the different districts than had hitherto been the case, while foreign trade had received a considerable stimulus from the settlement of the Danes and intercourse with their connexions. We may distinguish different *nuclei* round which trade tended to centre.

*Origin of towns.* From very early times men have gathered to celebrate the memory of some hero by funeral games, and this has given the occasion for meeting and for trading, so that fairs were held annually at places of burial; to these the men of surrounding districts flocked, to take advantage of the best opportunities for making a satisfactory exchange. When Christianity was introduced, and monasteries sprang up at the grave of each early martyr, the commemoration of the saint became the occasion of a similar assemblage<sup>1</sup> and thus religious gatherings served as great opportunities for trade<sup>2</sup>. Shrines, which attained a great celebrity, and were constantly frequented, were spots where trade could be carried on all the year round. Thus the origin of Glasgow may be traced from the burial-place of S. Ninian<sup>3</sup>. It is to be noted too that a stream of pilgrims, even if they journeyed with no other than religious aims, opened up a route that could be used for other purposes; the regular establishment in the twelfth century of a ferry across the Forth, was due to Queen Margaret's desire to provide for the transit of the pilgrims who flocked to S. Andrews<sup>4</sup>. Such places as these would be suitable sites for annual fairs and would give opportunities for trade with more distant parts.

*Townships.* For regular internal trade other centres would prove more suitable. In some places a single village has grown into a town, and such names as Birmingham indicate this origin; something of the old administration survived in many towns till the era of municipal reform in the

<sup>1</sup> Village feasts not infrequently fall on the day of the dedication of the Church, and shew the universality of the tendency here noted.

<sup>2</sup> On this point, and indeed on the whole subject of the history of fairs in Europe, see Bourquelot's *Mémoire* in the *Acad. des Inscriptions*, II<sup>me</sup> Serie, v. i. 14.

<sup>3</sup> Skene, *Celtic Scotland*, II. 184.

<sup>4</sup> Skene, op. cit. II. 351. For the connexion between pilgrimages and village trade in Russia see *Systems of Land Tenure*, 370.

present century, and there are doubtless instances where A.D. 787—  
elements still remain, though they are not so obvious as A.D. 1066.  
in Scottish towns<sup>1</sup>. In other cases the origin of a town  
can be traced to the coalescence of several villages; this  
has, as indicated above, been so frequently the case that  
it seems to be the normal mode of development. Many  
of our towns have grown thus, and it is not impossible that  
any of them where several parishes abut on the market-place  
may have had this origin, as the parish is the nearest  
modern representative of the village community<sup>2</sup>. A good  
deal of light on the early character of these towns may be  
got from survivals. It is obvious from an analysis of the  
officers<sup>3</sup> who were still maintained in many of them in 1834  
that a very large proportion of our towns were originally  
agricultural villages; the *pinder*, whose business it was to  
impound strange cattle, is found in several; but in cases  
where there are several pinders in one town as in Cambridge,  
it is at least probable that the town arose from coalescence,  
rather than from a single township. In either case such a  
town would be a centre of local trade and a market town,  
properly so called<sup>4</sup>.

The original nucleus in some cases might be occasioned *Forts*,  
by the Danes; the "army" of which we read in the *Chronicle* occupied forts, and they would require supplies; a  
market would be created by the garrisons in the positions  
which were fortified by Edward and *Æthelfleda* to keep the 910 to 924  
Danes in check<sup>5</sup>. Such are Bridgnorth, Hertford, Tamworth,  
Stafford and Warwick; though some of these may of course  
have been places of importance even before that time, for  
they are situated at points which commanded the internal  
communications either by road or river. In other cases the Roman  
existence of a Roman road, and the neighbourhood of Roman *relics*.

<sup>1</sup> The provost or *præpositus* represents the headman, or officer elected by the villagers.

<sup>2</sup> The negative inference may certainly be drawn that towns like Leeds,  
Bradford, or Liverpool, which lie wholly within one parish, have not originated  
thus.

<sup>3</sup> Gomme, *Index of Municipal Officers*, 7.

<sup>4</sup> On Village Markets in India see Phear, *Aryan Village*, 29.

<sup>5</sup> See especially Bedford, *English Chronicle*, 919. Kemble, *Saxons in England*, II. 321.

A.D. 787— building materials, would give the opportunity for raising a town on or near the site which they had occupied.  
 A.D. 1066.

*Several conditions combined.* Though these different circumstances are enunciated as distinct, it is clear that in many cases, two or more of them were present to account for the growth of a town in some particular spot. S. Albans had Roman remains, but it was also the shrine of the British proto-martyr. Cambridge was apparently a fort, as well as a group of villages; while there were building materials at hand, in the remains of the Roman city<sup>1</sup>; these were distinct influences, but they might be so combined as to render one point an important centre of trade, and thus cause the growth of the town planted there to be very rapid.

*Physical conditions.* But when we have thus enumerated the different spots which commerce favoured, there is still much that must remain unexplained. The growth of a town on any of these spots was undoubtedly due to natural advantages of site and position; but it cannot be too often repeated that natural advantages are relative to the condition of human beings; what served as a good natural harbour two hundred years ago, would often be useless now: and so with all other means of communication. It is hard enough for us to try and realise the condition of any English town in, say the ninth century, and quite impossible to gauge the natural advantages of one spot over another for the conduct of a commerce which we understand so dimly. One thing indeed is clear: while roads were few and defective it was most important to make use of river communication as much as possible; and those tidal streams which enabled the small sea-going vessels of the day to penetrate far inland were the seats of the chief towns. Chester, York and Ipswich are cases in point; while the excellent natural canals on which Norwich, Doncaster<sup>2</sup> and Cambridge were situated, served almost as well. The precise physical conditions which have led to the origin and development of different towns deserve careful attention from local historians.

*Tidal streams.*

<sup>1</sup> As well as at Grantchester. *Bede, H. E.* iv. cxix.

<sup>2</sup> Denton, *Fifteenth Century*, 188.

## VI. ECONOMIC IDEAS AND STRUCTURE.

A. *Property.*

42. At first sight it might seem hopeless for us to try and reach any real understanding of the nature of the economic ideas of our forefathers in primitive times, or at any rate impossible to specify the changes which took place during these long centuries. The written evidence is so slight, and so much of one kind, that we can only get meagre fragments of direct information; but there are other data to which attention may be turned. The various entries in *Domesday Book* contain definite terms and imply clear and precise ideas on economic matters, such as could not possibly have been present to the minds of a semi-nomadic people. Men cannot think about phenomena or describe them accurately until they are brought within the range of their experience; economic ideas could not be precise and definite till the industrial and commercial life of the day had rendered the importance of accurate distinctions apparent. The more highly developed life of the eleventh century involved the habitual use of definite ideas of ownership and status, such as men in the condition Caesar describes could not have grasped. Dealings at markets and fairs, as well as the assignment of definite portions of land, necessitate the employment of measures for which the primitive Germans could have had little use. How far the change was a native development, or how far it was due to the influence of Rome, whether imperial or ecclesiastical, is a question which demands much skilled investigation by specialists<sup>1</sup>, but the greatness of the change cannot be doubted. The gist of the whole may be brought out by fixing our attention on the idea of property.

*Economic phenomena and definite economic terms.*

<sup>1</sup> Mr Seebohm and Mr Coote hold that imperial civilisation in Britain exercised a great deal of direct influence on the habits of the English settlers; but this view can hardly be reconciled with the history of the English invasion, and the evidence of the displacement of the old population. Sir Henry Maine pointed out that the practice of making *wills* was probably of ecclesiastical introduction. *Ancient Law*, 173. See also Earle, *Land Charters*, xv.

B.C. 55—  
A.D. 1066.  
*Property.*

*Use and  
appropriation*

*of land.*

It is tolerably apparent that no one can wish to have permanent possession of a thing which he cannot use either for profit or pleasure; and that a knowledge of the arts of life and some power of applying natural materials and forces to human service must precede the attempt to appropriate them.

In the preceding pages attention has been directed to evidence which shows that the English were gradually learning to make better use of that which nature affords. Nomads whose flocks crop the pasture do not appropriate the soil over which they wander; but when men have learned the arts of tillage, especially of intensive tillage, they wish to set up a claim to the exclusive use of particular portions of land; or a claim to property in land. When this claim is 'respected'<sup>1</sup>, and the right to use is secured, there is property; common property is that which a man has a right to use along with others, private property is that which he has an exclusive right to use. At the time of the English Conquest, our forefathers had so

<sup>1</sup> There have been many attempts to explain the beginning of the respect paid to the claim to an exclusive use of anything; but the ultimate element seems to be that one rational being sees signs of the rational purpose of another and respects it. Where a human being has been labouring and shaping something to serve his purpose better, we see the clearest evidence of adaptation to a rational end, and we recognise that it is some one's property; his claim to the exclusive use of it is thereby justified. But though labour is the most obvious, it never has been the sole title to property as Locke seemed to suppose (*Civil Government*, c. v. § 27). The doctrine that labour is the sole title to property is commonly supported by much fictitious history as to the "state of nature," the "primitive communism" and the rights which "man as man" possessed in that idealised condition. It cannot be too often reiterated that man as man has no particular rights of any kind, but that a man as an Englishman has the rights which have grown and been defined by centuries of English constitutional struggles—just these rights and no more. Labour might have been the sole title to property in a primitive communism if it had ever existed, but it never was the sole title in actual human history; the proposal to deprive of their possessions all those who cannot claim them by the title of having actually laboured for them, may be an honest effort to realise an ideal which fancy has created, but it is not rendered more honest when it is put forward as an attempt to reassert a primitive but neglected right. Labour is not the sole title, but only one form in which the deeper grounds of the claim to property express themselves; in whatever fashion the material things are applied so as to serve a rational purpose, the claim to property becomes apparent and demands recognition. It is interesting to follow out this view and to notice how the conception of rational purpose explains the limitations as well as the growth of private property. For this reference may be made to Hegel, *Phil. d. Rechts*, pp. 76, 81. J. H. Stirling, *Philosophy of Law*, p. 36.

far emerged from the nomadic condition that the warriors <sup>B.C. 55—  
A.D. 1066.</sup> acquired holdings of their own<sup>1</sup>; while other rights over land were at later times assigned to corporations or individuals, and their claims to exclusive use were secured by a *boc*. When Domesday Survey was compiled every yard of English soil was as really, if not as definitely, subject to proprietary rights as it is now, and this one fact marks most clearly the fundamental differences between English habits at the time of Cæsar and under the Confessor. At the earlier date society was bound together by ties of blood and personal duty, but in the eleventh century the position of every member of the community was defined in connexion with the property he held and the rights or responsibilities which it entailed. The existence of property implies the existence of proprietors; and by the time of the Confessor the ties of blood and personal duty had been translated into other terms, and the social fabric was a system of contracts between proprietors.

English Society as constituted in the eleventh century *Proprietors*. presents a striking contrast with English Society as we know it now, as well as with the life of the primitive tribes. Now every Englishman is a possible proprietor; he may be very poor and have few actual possessions, but he is secured in the enjoyment of them; and his own force and energy may enable him to amass great wealth and obtain large estates. But in the eleventh century, this was not the case; and there was a line of demarcation between those who were <sup>Economic  
freedom.</sup> free to part with property by gift or sale, and those who were themselves with their progeny the property of others. This was not apparently a hard and fast line, dividing the nation into castes like those in India, for men might rise out of the unfree condition<sup>2</sup> or might lose their

<sup>1</sup> See the *Oath*, Thorpe, i. 185.

<sup>2</sup> *The Saga of King Olaf the Saint*, cc. 21, 22, describes a viking who was a benevolent master. "Erling had also a ship of thirty-two benches of rowers, which was besides very large for that size, and which he used in viking cruises, or on an expedition; and in it there were 200 men at the very least. Erling had always at home on his farm thirty slaves, besides other serving people. He gave his slaves a certain day's work; but after it he gave them leisure, and leave that each should work in the twilight and at night for himself, and as he pleased. He gave them arable land to sow corn in, and let them apply their crops to their own

B.C. 55—  
A.D. 1066. freedom<sup>1</sup>, but it was none the less a definite line however it was drawn at any one time<sup>2</sup>. *Domesday Book*, as well as the *Hundred Rolls* of the time of Edward the First, classifies the population into these two broad divisions. There were many subdivisions within each of the great classes, but for economic purposes at all events they are not obviously important; the main division lay between those who were free to possess and free to part with land, and those who with their progeny were attached to another man's estate. Leaving out of account for a time all questions connected with the unfree, we may see how all the organisation of society, for military, judicial or fiscal purposes, was interpreted in terms of property, even if it was not as a matter of fact grounded upon this basis.

*Reorganisa-  
tion of  
Society on  
a proprie-  
tary basis.*  
*Indefinite  
and definite  
obligations.*

43. The great importance of this change lay in the fact that it was possible to state the duties and responsibilities of each individual in definite terms. Personal obligations are vague and indefinite; it may be a duty to follow a leader in the fight but the questions as to how often you are to follow him and how far, and for how long a time, could be at all events most easily defined in connexion with the tenure of property; this also served as some security for the fulfilment

use. He laid upon each a certain quantity of labour to work themselves free by doing it; and there were many who bought their freedom in this way in one year, or in the second year, and all who had any luck could make themselves free within three years. With this money he bought other slaves; and to some of his freed people he showed how to work on the herring fishery; to others he showed some useful handicraft; and some cleared his outfields and set up houses. He helped all to prosperity." Laing, *Chronicles*, II. 19.

<sup>1</sup> Stubbs, *Constitutional History*, I. 78. When William devastated Northumbria, and a terrible famine prevailed, some persons were forced to sell themselves into perpetual slavery. Roger of Hoveden, I. p. 119.

<sup>2</sup> Professor Maitland points out that the important legal distinction, as shown in the early laws, is between the man for whom a *vergild* should be paid and whose relatives had some sort of right of feud, and the man who was a mere chattel like an ox or other beast of the field. The *villani* of *Domesday* were free according to this older distinction. In the thirteenth century the obligation to pay *merchet* on the marriage of a daughter was the distinguishing condition which proved in any case whether a man were free or no; and according to this, classes which were formerly free were counted as servile.

It is not obvious that the 'free' man who was outside the communal rights, and had the power of alienating his property, was in a more enviable position than the villan, till the Black Death entirely altered the circumstances of rural life.

of obligations. The process of commendation<sup>1</sup> may have been B.C. 55—  
convenient to the humbler freeman as a means of obtaining A.D. 1066.  
protection for person or property, or both<sup>2</sup>; it was also  
convenient to the military earl, as a means of securing more  
effective organisation. There are signs of military organisa- <sup>Commend-</sup>  
tion in several of the entries of the *Chronicle* which deal with the Danes; as for example in 874 when Ceolwulf A.D. 874.  
held Mercia on their behalf, and gave hostages that he  
would be ready to help them in his own person and with  
all that should follow him. In 917 the Lady of Mercia A.D. 917.  
got possession of Derby and all that owed obedience thereto,  
and in the next year, Leicester, "and the greater part of  
the army that owed obedience thereto became subject to  
her; and the people of York had also covenanted with her,  
some having given a pledge and some having bound  
themselves by an oath that they would be at her command."  
In the same year as the result of Edward's successes, "Thur- A.D. 918.  
kytel the earl sought to him to be his lord, and all the  
captains, and almost all the chief men who owed obedience  
to Bedford, and many of those who owed obedience to  
Northampton." Commendations and oaths<sup>3</sup> and military  
tenure seem here to be taking the place of the loyalty and  
discipline which had been previously secured by pledges and  
hostages.

The personal devotion of the *comes* to the *princeps* may <sup>Military</sup> *service*.  
have been more effective when it was flavoured with the  
expectation of a share in the spoils, and not by gratitude for  
a grant in the past. There must have been difficulty in  
enforcing the claim to personal service when it was not  
fully rendered; and this may be one reason why the English  
defence collapsed at the time of the Danish invasion. At  
any rate when the monarchy was reconstituted and re-  
organised, under Cnut and the Confessor, the claim for  
service was made on each man as the holder of so much  
property, and not as a mere personal duty; the obligation

<sup>1</sup> Commendation was the choice of a lord by a landless man or free proprietor who required surety and protection. *Stubbe, Const. Hist.* 1. 158.

<sup>2</sup> *Domesday*, Escelforde, 1. 198 a, 2, 191 a, 2. Herlestone, 1. 200 a, 2. Hauo-  
chestone, 1. 198 a, 1.

<sup>3</sup> *Oaths*, 1. Thorpe, 1. 179.

B.C. 55—  
A.D. 1086. was not imposed on him so much as on his possessions. There is a significant hint of this change in the law which determined that a churl should rank as a thegn as soon as he had land enough to fulfil the duties of his position<sup>1</sup>. Thus military obligations which had originally been personal came by commendation to be defined in terms of property; and when, through the failure to maintain an effective defence, tributary Danegeld was levied, the relations of the poorer and richer proprietors might well undergo a change<sup>2</sup>. Those who were able to discharge this heavy fiscal responsibility would confer a real benefit on their neighbours by undertaking to pay the geld when it was due, and accepting a regular rent in return.

*Judicial responsibility.* In a somewhat similar fashion the judicial status of each individual—the immunities he claimed and the jurisdiction he exercised—was defined in connexion with the property he possessed. It was an enormous advantage for the man who was sued for any offence to be able to rely on the help of a powerful friend; the great lord who answered for his man and was willing to maintain his cause in the king's court, was an antagonist that no suitor would willingly face, and from whom it was difficult to obtain the desired redress. The wish to secure such assistance in connexion with criminal charges or other litigation must have been a great incentive to commendation<sup>3</sup>, but the lord could hardly be expected to make himself responsible for a man over whom he possessed no control. Hence the freeman was bound to attend at the manorial court; the lord had *toll* and *team*, the rights of *sac* and *soc*<sup>4</sup>—whatever these difficult terms implied—and he was to this extent free from the jurisdiction of others. It is needless to speculate here how such jurisdiction arose,—how far from royal grant, and how far as a

<sup>1</sup> *Ranks*, 2. Thorpe, i. 191.

<sup>2</sup> The pressure of the land revenue in India, and the proprietary changes which have followed in connexion with the work of collecting it—as in the permanent settlement of Bengal under Lord Cornwallis—offer an illustration from real life of the hypothesis in the text. See below, p. 186.

<sup>3</sup> *Edward and Guthrum*, 12. Thorpe, i. 175. *Ethelstan*, i. 2, 8. Thorpe, i. 201.

<sup>4</sup> Maitland, *Select Pleas, Manorial (Selden Society)*, i. xxiii. *Domesday*, Horsei, i. 199 b, 2; Wadon, 194 b, 1; Orduuelle, i. 198 b, 2; 198 b, 1.

survival of the primitive police of little communities; but B.C. 55—<sup>A.D. 1066.</sup> it did not rest on personal qualifications or powers, and it was exercised in connexion with the possession of so much land, and marked the status of different classes of proprietors. “As soon as a man found himself obliged to suit and service in the court of a stronger neighbour, it needed but a single step to turn the practice into theory and to regard him as holding his land in consideration of that suit and service”<sup>1</sup>.

44. By the time of the Confessor then, the social organism had embodied itself in a ‘territorial shell,’ and various <sup>Pro-  
prietary</sup> <sup>obligations.</sup> duties incumbent on free Englishmen were commonly stated as incident to the positions of proprietors of so much land and of such land. These obligations correspond to what we should call taxation; though they often consisted of actual service, and not merely of money payments.

(a) Actual service was rendered in the defence of the <sup>Trinoda</sup> <sup>necessitas.</sup> country, actual work on roads and bridges, and on fortifications; this was the *trinoda necessitas*<sup>2</sup> from which even favoured personages were apparently never exempted. Neglect to attend the *fyrd* entailed very serious punishment<sup>3</sup>: but there were other personal services from which many of the holders of bocland were exempted by the terms of their charter. The most common of these perhaps was the employment of their teams in public service at the requirement of the sheriff<sup>4</sup>.

For the taxpayer it was most important that these <sup>Definite obligations.</sup>

<sup>1</sup> Stubbs, *Constitutional History*, I. 189.

<sup>2</sup> This appears to be incorporated in the administrative system of Charlemagne. Dr Stubbs has noticed the obligation in genuine English charters of the eighth century, but does not regard it as derived directly from Roman Imperial Institutions, *Const. Hist.*, I. 76. Compare on the other hand Coote, *Romans of Britain*, p. 259.

<sup>3</sup> *Laws of Ine*, § 51. Thorpe, I. 185. On the other hand the length of service in the field was defined as extending to no more than 60 days; a limitation which was of fatal importance in connexion with the success of the Norman invasion. Freeman, *Norman Conquest*, III. 886, 404.

<sup>4</sup> The *Bectitudines Singularum Personarum* gives the following enumeration: Et de multis terris magis laudirectum exurgit ad bannum regis, sic est deorhege ad mansionem regiam, et aecorpum in hosticum, et custodiam maris, et capitis, et pacis, et almefeoh, id est pecunia elemosine, et cirsecatum, et alie res multimode. Thorpe, I. 492.

B.C. 55—  
A.D. 1066. exactions should not be unlimited but should be defined; and the precise obligations at the time of the Domesday Survey appear to have been well known and easily put on record. The land originally apportioned or granted by *boc* was subject to many burdens; the tenants of the king's lands were under special if not better conditions, since for one thing they paid rent to the king (*gafol* or *gabulum*) as being the landlord of their estates, as well as services to him in his capacity as king<sup>1</sup>. In later days it appears that the tenants on royal domain were on the whole more favourably dealt with than others, and bore less of the public burdens. The owner of *bocland* might have got a very favourable charter, even one which gave him practical immunity from all burdens except the three.

*Tithe.* (b) There was also a certain amount of ecclesiastical taxation. The Christian duty of giving a tenth of one's substance to God had been enforced from the time of a legatine council in 787, and thus the payment of tithe was established. A considerable sum was also levied by a tax of a penny on every hearth and transmitted to Rome; the first payment is associated with the name of Offa, but it had become a regular tax in the tenth century.

*Danegeld.* (c) Up to the time of the Conquest the ordinary public duties were chiefly defrayed by actual service, or the service of deputies; but there were also extraordinary burdens which were necessarily paid in money, such as the *geld* or *Danegeld*, which was originally a *tributary* payment exacted as a means of buying off the Danes, but was subsequently levied as stipendiary, so as to maintain the mercenary defensive force. This was paid off in 1051; but the precedent thus set enabled Edward the Confessor, and the Norman kings to levy similar exactions when emergencies arose<sup>2</sup>.

<sup>1</sup> Round, in *Domesday Studies*, i. 192.

<sup>2</sup> Round, in *Domesday Studies*, i. 81. An interesting illustration of tributary *Danegeld*, from the point of view of those who were engaged in collecting it, occurs in a *Saga*.

"Sigurd imposed a tribute on the inhabitants of Man, and when they had made peace the Jarl left men behind him to collect the tribute: it was mostly paid in smelted silver." Subsequently the collectors were wrecked on the Irish coast, and relieved by an *Icelander* who traded with Dublin, and who sold them a boat, and "took therefore a great part of the tribute." Beamish, 187.

The due assessment of the geld was the primary purpose B.C. 55—  
which the Conqueror had in view in taking the Domesday  
Survey. The information it contains as to the changes  
among the owners of land, or the character of their tenure,  
are all incidental; the main object was to provide a satis-  
factory basis for the assessment of this revenue. A.D. 1066.

45. If we turn to consider the position of the unfree man, *The unfree  
classes.* we find that this too is susceptible of definition in connexion with what he had. If he was not a free proprietor, neither was he a mere chattel; he was able to hold land and use it, even though he did not own it, and could not sell it. He was aststricted to one estate, and he and his progeny were under the control of the lord, but he had recognised privileges too. The estates were worked by tenants who contributed services in return for the holdings assigned them, and who each stood in an economic relation to the proprietor; they did the work on his domain farm, and they also held land which they cultivated for themselves and with stock provided by the lord. The most important thing for the tenant was, as in the case of the military and fiscal *Definite ob-  
ligations* obligations of the proprietor, that the kind of service and amount of service due from him should be definitely settled. Though there may have been many estates where arbitrary exactions were still in vogue<sup>1</sup>, the obligations of the tenants of different sorts were in many cases clearly defined in the time of the Confessor.

The economic relation thus indicated can hardly be *difficult to  
describe in  
modern  
terms* satisfactorily described in modern terms, as these connote distinctions which only emerged at a later date. We might say that the landlord received a labour-rent for the tenant's holding, or we might say that the tenant received a holding as wages for the work done for the lord; again it might be contended that part of the return due to the landlord was rendered on account of the use of the oxen with which the tenant's holding was stocked. But the fact that all these three were combined renders it impossible to compare the receipts of the Domesday proprietor with modern rents, or the position of the agricultural labourer then and now.

<sup>1</sup> Pollock, *Land Laws*, 49.

B.C. 55—  
A.D. 1066.  
but sus-  
ceptible of  
commuta-  
tion.

At the same time we may notice that so soon as the relations of lord and serf came to be defined as economic incidents of the tenure of land, they had taken a shape in which they could be commuted for money payments, and stated in a pecuniary form. In the time of the Confessor, the obligations of the tenants could be valued in terms of money, and on some of the royal estates in particular the commutation of service for money appears to have been in vogue.

*Cotsetle.*

The usual duties of the different classes of unfree tenants on a manorial estate are described in great detail in an eleventh century document entitled the *Rectitudines Singularum Personarum*. The *cotsetle* had a holding of about

*Gebur.*

five acres, and was bound to work for his lord one day a week all the year round (*weekwork*) and three days a week in harvest (*boonwork*). The *gebur* had a yardland, of thirty or forty acres, which when he entered it was stocked with two oxen and one cow and six sheep, as well as tools for his work and utensils for his house; he was in return to do, as *weekwork*, either two or three days a week according to the season; and he was to lie at the lord's fold in winter as often as he was told; several payments are also specified, as well as occasional *boonwork*. The whole statement may be taken as typical, but we are reminded that the different customs of different estates may have varied very greatly; still it is evident that the obligations on each particular estate were defined with considerable precision in recognized quantities of service or money, or money's worth.

*Resem-  
blance of  
feudal to  
Roman  
Society  
and con-  
trast with  
the con-  
dition of  
the English  
in Friesia.*

46. A feudal society which was thus interpenetrated by ideas of property, and the obligations incident to the tenure of property, offers many close analogies with that which was in vogue under the Roman empire; on the other hand it presents strong contrasts with the amorphous and flexible condition of the German tribes at the time of Cæsar or Tacitus, or even at the time of the English Conquest. On the grounds of this double probability it has been argued with great force and learning by Mr Coote<sup>1</sup> and later by Mr Seeböhm<sup>2</sup> that the Roman civilisation, in all its main

<sup>1</sup> *Romans of Britain*, p. 5.

<sup>2</sup> *Village Community*, cc. viii, xi.

elements survived through the storm of the English invasion, B.C. 55—  
A.D. 1066.  
and re-appeared at the time of the Confessor with but little  
*Did Roman civilisation sub-stantially survive?*

change from the form in which it had existed in the days of Constantine, save that Christian teaching had bettered it, and especially had ameliorated the lot of the serf.

Their case is very strong from some points of view; it seems unlikely that a great civilisation should disappear, and that another civilisation so closely resembling it should arise a few centuries later on exactly the same lands. It is incumbent on those who believe that the balance of probability after all favours this view, to show the grounds on which they rely for proof of the destruction of the imperial civilisation, and to make it clear that the reconstruction of such a similar society was possible within the available time.

The proof of destruction has been already given; the histories are agreed as to the disintegration of society and the conquest of the Roman province of Britain; but it is possible that the statements of Bede and Nennius, who are inclined to moralise on the events, are somewhat exaggerated or only refer to special localities. The histories are however confirmed by monuments, which tell of the utter and rapid ruin of flourishing houses and cities. They are also confirmed by the facts that the old language did not survive and that the Christian religion was not preserved where the English settled. Had the English Conquest been a mere raid which swept over but did not overthrow the Roman civilisation, the country would have been Christian, as Wales or Gaul was Christian, before the time of S. Augustine or S. Cuthbert, and our language would have been a Roman or Gallic dialect like French, or Welsh. There is no reason to believe that the fiscal system or the military system, or even the rural industry could survive, when the language and religion were swept away and left so few traces behind<sup>1</sup>.

On the other hand the things which speak to us most plainly of the Romans were things which would be little affected by a great social upheaval. The roads, the camps, the trees, the stones of centuriation, would remain unless

<sup>1</sup> For indications of survival of both compare Coote, *Romans of Britain*, pp. 416, 458.

B.C. 55— A.D. 1066. they were deliberately destroyed ; and a very small surviving element of population would serve to keep the old local names, and to preserve a few terms as well.

*Possibility of the reconstruction of a similar society.* 47. The argument as to the possibility of the growth of a similar society must necessarily be more or less hypothetical ; for we have no such sufficient records of the first settlement and subsequent changes as to enable us to specify all the steps.

*Similarity does not prove continuity,* (i) It may be pointed out however that an argument drawn from the great similarity between the two societies in favour of a real continuity of the same social type, is by no means conclusive. There is a danger of neglecting purely natural resemblances. In all societies where agriculture is carried on in the same sort of way there must be many analogies in detail ; a similar team will be required, and the mode of laying out the land which is convenient for the day's work will also be similar. As noted below there are many natural units of measurement which will come to be used so soon as a people wish to have accurate knowledge of height or area or value. It can be shown that the English need not have derived their knowledge of ploughing with oxen from the Romans, since this is a practice common to the Aryan race, and it naturally follows that there must have been many similarities of detail which were necessarily involved in this practice and need not have been derived from any outside source. If our acre were precisely identical with the Roman acre there would be either a very strange coincidence or a proof of dependence ; but a mere similarity can be accounted for without supposing actual derivation<sup>1</sup>.

*especially when we can account for the reintro- duction of a Roman habit.* (ii) Nor need we suppose that there was continuity even when there is precise identity of usage, if we can account for the late introduction of the Roman habit from another source. The influence of Roman missionaries must have been enormous ; and the Roman Calendar, and much Roman terminology, legal and other, would easily come from this source. Further, the desire of English kinglets to imitate the do-

<sup>1</sup> The fact of the variety of local measures seems to indicate that they were derived from a common source.

of Charles the Great, makes it clear that in so far as his B.C. 55—  
*Capitularies* became known they would modify the current A.D. 1066.  
 customs on this side of the Channel. When we have discounted these elements of similarity, the force of the argument for continuity is greatly weakened.

(iii) It remains to be seen whether the dissimilarity *Not impossible* between the life of the English invaders and the social *that feudal society was a nature growth.* system at the time of the Confessor, is so great that we cannot suppose the one was a development of the other. Here again the argument must be merely hypothetical ; it is only thus we can see whether two sets of well-established facts can be reconciled or not ; but even if we cannot altogether account for the growth of the new civilisation, the evidence adduced for the destruction of the old, and the consequent breach of continuity, remains unshaken.

(a) The English occupation was the settlement of an *Military army, and preserved certain features of military organisation ; responsi-*  
*bility.* military responsibilities are implied in the proprietary system under the Confessor ; but the chief difference is that the class of free soldiers cultivating their own land seems to have disappeared and a class of lords relying on the labour of dependents had taken its place. But we may remember that *Roman analogy.* this is exactly parallel to a change which occurred in Italy itself ; the old type of Roman citizen who cultivated his own land and also fought in the armies of the republic, disappeared under the pressure of many wars ; some were killed off, and many more were utterly impoverished ; so that the old system of proprietary cultivation was superseded by the *latifundia*, cultivated by dependents. The constant struggles of different septs, as well as the wars against the Danes, would amply account for the destruction of the old class of soldiers.

(b) It is said however that the composition of each estate, *Manorial estates.* and the dependents who worked it, could never have grown out of free associations of cultivating soldiers. Still we must remember that it is quite gratuitous to suppose that all the earliest English communities were free. A village community is a social unit employed in the prosecution of agriculture ; its members will manage their affairs in much the same way whether they are in other respects free or servile. The

B.C. 55—  
A.D. 1066.  
*Servile cultivators.* scattered hamlets of Welshmen would probably feel the yoke of the conqueror, and so would the English villages that succumbed in the subsequent conflicts for supremacy; but they would still be independent in managing their internal affairs, and they would elect their own *propositus* though their condition was really servile<sup>1</sup>.

*Free soldiers.* On the other hand the free soldiers probably associated themselves together for the cultivation of the lands originally assigned them, and arranged their agricultural affairs by electing their own administrators from time to time. Yet the success of some men would enable them to secure the help of dependents, while others, in the stress of their poverty, might bargain themselves into a servile condition. The necessity for doing so might arise from any one of a large number of different contingencies. Whenever an individual or a village became liable to a heavy fine on account of some crime committed<sup>2</sup>, they might have to throw themselves on the mercy of the lord and compound by accepting more onerous obligations for themselves and their children for all time. The pressure of royal demands for geld, or of tithe<sup>3</sup> might be severe, and little grace was given to the man who failed to pay on the right day and was likely to fall into arrear. Whenever a man incurred a liability which he could not discharge, his more fortunate neighbour might come to his aid, and help him in the pressing emergency, but on terms that made a permanent change in their relative positions for the future. The mere pressure of a bad season apart from anything else might force men down to a lower social grade on which their children would continue to live<sup>4</sup>. Even in a land like India where custom is much more stereotyped than here, the village communities are breaking up, sometimes by partition into separate estates, and sometimes by a wealthy

*Indian analogies.*

<sup>1</sup> See below, p. 221.

<sup>2</sup> *Laws of Edward and Guthrum*, 12 seq. Thorpe, I. 175. *Ethelred*, vii. 16. Thorpe, I. 888.

<sup>3</sup> *Ethelred*, ix. 7—12. Thorpe, I. 848.

<sup>4</sup> *Nehemiah* v. 1—5. The change which occurs in Ireland when a tenant is hopelessly in arrears and after eviction is reinstated as a care-taker may serve as a modern illustration.

man absorbing the property of all ; a manorial farm, or a group B.C. 55—<sup>A.D. 1066.</sup> of small manorial farms will then take the place of the community. The process in India appears to be closely connected with the pressure of the land tax ; the *patel*, or any officer who is responsible for the collection of the village assessment, may be able to rise to a position of superiority over the other villagers, especially if they fall behind hand with their payments and he advances the money. The imposition of the Danegeld and efforts to collect it may well have had similar effects in England. If it is true that the *manerium*<sup>1</sup> was the economic unit<sup>2</sup> from which the payments were in the first instance collected, the lord of each *manerium* was put in a position of considerable responsibility for his neighbours, and consequent power of controlling them. In any case the Indian analogies seem to show that it was not impossible for manorial farms to grow out of and supersede free village communities in the course of four or five centuries, even though we cannot follow the actual course of the change. To do so *Local history.* we should have to speak not of England in general, but of particular districts ; Danish England differed greatly from the southern portion, and in particular contained a far larger proportion of free men ; but even within the Danelagh there were great varieties, for neither the Welsh nor the English were wholly swept away. The actual history would need to be a local history, which tried to examine what the original settlement in one parish after another had been, and to what causes the changes in each place were due. That such history cannot be completely recovered is obvious ; but in default of it we must be content with seeing that the supposed change was possible.

Evidence of the loss of freedom in historic times, or of *Survivals*. its survival till a comparatively late period must also be taken into account, before it can be admitted that none of the English village communities were originally free. Even if the free village community was not broken up it might lose its status by the necessity of commendation.

<sup>1</sup> See below, p. 122.

<sup>2</sup> The *Rectitudines* appear to state the economic relations of each member of a typical manor but do not mention the fiscal connexion with other proprietors.

B.C. 55—  
A.D. 1066. Mr Scrutton gives several instances which seem to imply this<sup>1</sup>, while he calls attention to other cases which show the existence of free village communities at the time of the Conquest<sup>2</sup> and indications of something of the kind as late as the fifteenth century<sup>3</sup>. Now while we can understand that the lot of the serf was lightened and that he was allowed to pay money in lieu of service by manorial bailiffs, it is difficult to see how a community of free proprietors would be called into being on an estate which was owned by a lord. This would not be a mere readjustment of economic relations, but an entire change of social status; and it seems most reasonable to treat these isolated instances as survivals of a state of affairs which had once been general among the original English settlers.

### B. Exchange.

*Facilities for exchange.* 48. The trading of the primitive tribes must have been of a very elementary character; whereas in England at the time of the Conquest the trade was large and definitely regulated. There must then have been a steady improvement in the facilities for exchange, and in the other conditions which are necessary in order that it may be carried on. The primitive tribes had possessed coins, and payment in kind still survived after the Norman Conquest; but the one mode of conducting exchanges was gradually superseding the other and it is worth while to consider what is involved in the change from barter to the use of money, and the immense advantages for the conduct of trade which follow. Exchange in its earliest forms can only be barter, the exchange of one object of use for another object of use, but even in this simplest form there are distinctions which are worth noting. The man who is most anxious to conclude a bargain will always gain less advantage from it than the other; the savage, who covets a sailor's jack-knife, and feels that anything he has would be

<sup>1</sup> *Common Fields*, p. 14; cf. *Domesday* Dersingham ii. 278 b. See Seeböhm, *Village Community*, p. 307.

<sup>2</sup> *Domesday*, Goldentone i. 218 b, 2. Chenetone i. 12 b, 2.

<sup>3</sup> The judicial evidence as to the original constitution of manorial courts also seems to point to the existence of a considerable class of freemen. Maitland, *Select Pleas, Manorial* (*Selden Society*), i. lxv.

worth sacrificing for the sake of possessing it, will be willing B.C. 55—  
to give a tusk of ivory or anything else the sailor fancies; the A.D. 1066.  
savage gratifies his pressing need, but the sailor has got an article which would usually give him much more trouble to procure than another knife would<sup>1</sup>. The man who is least anxious about the matter drives the best bargain; we may *Sellers and buyers.* call him even in a case of barter, the *seller*, and the man who has set his heart on a particular article, the *buyer*.

Again we may see the *limits* within which the exchange can take place; the jack-knife has a certain usefulness to the sailor, he would not part with it except for an amount of ivory which would at least enable him to buy another; while the savage sees no prospect of securing another if he lets this opportunity slip, and its usefulness to him is immense. In technical language, *value in use* to the buyer and *value in use* to the seller give the extreme limits within which the price <sup>use.</sup> in ivory can fall.

The consideration of the limits of exchange enables us to understand the nature of the gains that are made by traders. *Gains of traders.* The trader has a supply of knives or other articles which the savages are anxious to use, and he gets from them articles which he does not himself want to use, but only to exchange again<sup>2</sup>; his own anxiety is at a minimum and thus he can, in the absence of competition, drive up the price to almost the

<sup>1</sup> The commerce between the Danes and the Esquimaux offers an instructive illustration. "When they came together they began to barter, and these people would rather have red cloth than anything else; for this they had to offer skins and real furs...For an entire fur skin the Skraelings took a piece of red cloth, a span long, and bound it round their heads. Thus went on their traffic for a time, then the cloth began to fall short among Karlsefne and his people, and they cut it asunder into small pieces which were not wider than the breadth of a finger, and still the Skraelings gave as much for that as they did before, and more." When the cloth was all gone, Karlsefne got the women to take out milk porridge to the Skraelings who were so delighted with this new article that they would buy nothing else. "Thus the traffic of the Skraelings was wound up by their bearing away their purchases in their stomachs, but Karlsefne and his companions retained their goods and their skins." *Sagas of Thorfinn Karlsefne and Erik the Red.* Beaminish, p. 97.

<sup>2</sup> This distinction is of great importance and is very clearly stated by Aristotle: ἐκδοτούς γάρ κτήματος διττή ή χρήσις δετίν,...αλλ' ή μὲν οἰκεῖα ή καὶ οὐκ οἰκεῖα τοῦ πράγματος, οἷον ὑποδήματος ή τε ὑπόδεσις καὶ ή μεταβλητική. ἀμφότεραι γάρ ὑποδήματος χρήσις· καὶ γάρ οὐ διλαττόμενος τῷ δεομένῳ ὑποδήματος αὐτῇ νομίσματος ή τροφῆς χρῆται τῷ ὑποδήματι ή ὑπόδημα, αλλ' οὐ τῇ οἰκείᾳαν χρῆσιν· οὐ γάρ διλαγῆται ἔνεκεν γέγονεν. *Politics*, I. c. 9. §§ 2, 8.

B.C. 55—  
A.D. 1066. point of value-in-use to the buyer. He may be able to drive a similarly good bargain in disposing to others who mean to use them of the commodities he has himself received in exchange. This is the secret of the enormous profits made by the merchants in eastern caravans, amounting to 200 or 300 per cent.; they do business on a system of tedious bargaining in which they reap a benefit through the difference between the importance of an article to one who wants to use it, and its importance to one who regards it as a mere article of commerce.

*Caravan trade.* *Money as a medium of exchange.* The intervention of money—or a *medium* of exchange—facilitates trade by reducing the disadvantage to which the buyer is exposed in simple barter. Simple barter fails to afford facilities for many exchanges which would be advantageous if they could be carried out. I have a coat which I want to exchange for bread; you have bread which you want to exchange for boots; unless a third party comes on the scene it may be impossible for us to arrange any terms at all<sup>1</sup>. There may be a similar difficulty in effecting an exchange when the right articles are present, but in quantities that cannot be fairly equalised. All these disadvantages in barter are obvious, but it is worth while to try and notice how far they may be overcome, even before the general introduction of pieces of money.

*Functions of money;* *unit for comparison;* To discuss this we must consider the various functions which are performed by coins<sup>2</sup>. It is in terms of coins that we reckon the value of different articles, one is worth five, another six shillings; a current coin serves as a *unit* for the comparison of wares. Again, coins are universally desired; people are always ready to accept coins, because it is a form of wealth for which they can always find a use; coins are

<sup>1</sup> Mr Frazer has pointed out to me a curious case from real life which is given by Mr Brooke:

“A Dyak has no conception of the use of a circulating medium. He may be seen wandering in the Bazaar with a ball of beeswax in his hand for days together, because he can't find anybody willing to take it for the exact article he requires. This article may not be more than a tenth of the value of the beeswax, but he would not sell it for money, and then buy what he wants. From the first, he had the particular article in his mind's eye, and worked for the identical ball of beeswax with which and nothing else to purchase it.”

*Years in Sarawak*, vol. 1. p. 156.

<sup>2</sup> Walker, *Money*, pp. 1—23.

therefore a *medium of exchange*, and as they are very divisible B.C. 55—  
and equable they form a singularly good medium. Again, *medium of exchange*;  
when payments have to be made at any time in the future—*standard for deferred payments*;  
or over a period of years—it is coinage that gives a *standard for payments*.  
which a great value is contained makes coins a suitable  
commodity for hoarding.

In early stages of society cattle are universally desired, as *Slaves and cattle as media.*  
also are slaves, and these articles can therefore be used as media of exchange, but it is obvious that as a living animal cannot be divided, slaves or cattle only serve this purpose for large payments. Though they probably had no better media in some pre-historic periods, the English were acquainted with the use of coinage for some payments at the time of the occupation of Britain. We are accustomed to a sharply defined unit, represented by a definite piece of metal, in terms of which the value of articles can be measured, and can scarcely see what meaning prices would have if no such tangible unit existed. But their circulating media were in all probability little used, and it is possible to manage fairly well with an ideal unit for money of account; one could compare *Ideal units.* a book worth five shillings with a stool worth six, even if no shillings were ever coined; this was the case with some terms; and the *mancus* appears to have been a unit of comparison, but a merely ideal unit<sup>1</sup>. The difficulty of finding an *Rents in kind.* unvarying standard never in all probability occurred to them, but as a matter of practical convenience they hit on a system which is now recommended by scientific authorities. For deferred payments it was customary to agree to give a curious variety of commodities<sup>2</sup>, and the arrange-

<sup>1</sup> Ruding, *Annals*, I. 111.

<sup>2</sup> An example is in the Tichbourne estate, twenty hides of which were granted by Edward the Elder to the Bishop of Winchester on this condition, among others, "that every year at the return of the day there be given twelve sexters of beer, and twelve of sweet Welsh ale, and twenty ambers of clear ale, and two hundred great loaves, and a third of small, and two oxen, one salt the other fresh, and six wethers, and four swine, and four fitches, and twenty cheeses. If it happen to be Lent, then let the worth of the flesh be obtained in fish unless it be extremely abundant." Thorpe, *Dip. Ang.* p. 158. We have here in actual use a system of payment which would always supply a sufficient feast to the king and his court, and which has, curiously enough, a resemblance to the plan of a multiple legal tender proposed by Prof. Jevons, *Money*, p. 327.

B.C. 55—  
A.D. 1066. ment was probably a fair one. Uncoined precious metals served as well for hoarding as coins do, and each of the kings would doubtless aim at the possession of such a treasure. As trade flourished it would become more possible to procure the precious metals ; if Thorpe's collection of documents is really representative, it would seem that during the ninth century these metals became much more abundant. Occasional donations of them are mentioned after 811, and regular money payments from tenants appear to date back as far as 900. It would however be an error to suppose that estimates of obligations in terms of money always imply that the debt was actually discharged in coin and not in kind.

*Precious metals*  
*and the circulation of coins.* We may thus see that all the various functions of money could be performed, if not so well, at least to such an extent as to render the circulation of wares<sup>1</sup> possible before the introduction of coins. That step was an expensive one ; it is not every man who is well supplied with ready money, and it is not every community that is so rich as to be able to afford the amount of precious metals which must be provided before there can be a general circulation of coins. When the advantages of coinage were realised, and when the kings saw that taxes could be more easily collected, or that by promoting trade they could increase their own dues, they would doubtless make great efforts to provide a metallic currency. We shall not perhaps be far wrong if we argue that the imposition of the Danegeld implies that there was a very general diffusion of the precious metals through the country in the eleventh century.

*Metric systems.* 49. The Domesday Survey is retrospective, and embodies a great deal of information about the time of the Confessor ; indirect evidence of the advanced condition of society before the Norman Conquest is to be found in the precision with which measurements of all sorts could be taken. This Survey, as well as the Laws which have been so often quoted, show that Englishmen had accurate terms by which payments of all sorts, whether in money or in kind or in service, could be defined ; indeed there were several distinct metric systems, which were apparently prevalent in Welsh, English and

<sup>1</sup> K. Marx, *Das Kapital*, pp. 88—93.

Danish districts respectively. The whole subject is beset with many difficulties, partly because the same term may mean one thing when it is used in a Danish and something else in an English district, but chiefly because the connotation of the words themselves must have changed, and sometimes came to be defined more precisely. Progress in this as in other matters is from the vague to the definite, and while primitive tribes may estimate land very roughly by units<sup>1</sup> which have no precise areal value, agriculturalists in a highly civilised society desire to have an accurate metric system.

This was however a very difficult problem; it is hard enough to define the measures in common use so that if they were all destroyed it would be possible to reproduce them<sup>2</sup>, and it must have been still harder to find convenient units which it was natural to adopt, and to settle on the method of multiplying and dividing which gave a suitable system. If we could ascribe its original purpose to each kind of measurement we should see what units it is natural to adopt, and understand how similar units are found in many different and unconnected regions; on the other hand the mode of counting, by threes or tens or twelves, sometimes seems to discriminate from one another some of the distinct tribes or races which inhabited various parts of England at different times.

*Short units of length.* A whole series of units which have proved convenient for measuring cloth and other fabrics are derived from the hand and arm; the nail, the finger, the hand, the ell, and the yard can all be got in this way; the fathom is the distance given from tip to tip when the arms are fully stretched out. That the human frame varies and that these units were still in want of precise definition, both in themselves and in relation to one another, is of course clear enough; but the fact remains that the original units of measurement were given by the division of this limb. On the other hand the primitive definition of these measures

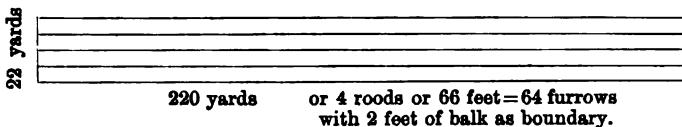
<sup>1</sup> Compare Achenbach, *Haubergs Genossenschaften des Siegerland*, pp. 8, 9. If the *hude* meant originally land for a family, it had probably reference to possible produce rather than to actual area.

<sup>2</sup> Jevons, *Principles of Science*, I. 357.

B.C. 55— A.D. 1066. was given in terms of a natural object—three barley corns, one inch<sup>1</sup>.

*Foot, pace.* Another series, which are perhaps more used in outdoor or building operations, are given by the lower limbs, such as the foot, and the pace.

*Acre.* *Units of area.* The measurement of areas of land naturally bore a close relation to tillage, and the unit is the acre. This was, roughly speaking, the amount of land which could be ploughed in a day; and would of course vary with the character of the soil and the strength of the team—not to mention the length of the day; but somewhat similar areas came to be precisely defined for each locality by the manner in which the ploughman set out his work. He ploughed an oblong space, ten times as long as it was broad; the most common acre was 22 yards across, and the furrow was 220 yards long; the breadth was laid out by taking four falls of a *rod* and was accordingly  $5\frac{1}{2}$  yards; and thus the acre was divided into *roods*.



*Various rods and acres.*

But though this acre was the commonest, there were (and are) an immense number of local acres, defined by the length of the rod with which they were laid out. In a thirteenth century treatise<sup>2</sup> on estate management, rods of  $16\frac{1}{2}$ , 18, 22 and 24 feet are mentioned, and the acres corresponding to some of these still survive in Cheshire, Ireland and Jersey. The acre in one place is not the same as the acre in another; but the acre of each estate was a perfectly definite area of soil to be ploughed. The normal acre of 220 yards long by 22 wide was divided into four quarters or roods, each of which was 220 yards long and a rod ( $5\frac{1}{2}$  yards) wide. Each furrow well drawn was a foot wide, so that it

<sup>1</sup> "Which rule is not at all tymes true, For the lengthe of a barlye corne of some tyllage is lenger, and of some tyllage is shorter." R. De Benese, *Boke of Measuryng Lande* (1597).

<sup>2</sup> *Husbandry*, c. 6, from ms. in Brit. Mus. Add. MSS. 6159, f 220 b. This treatise is about to be published by the Royal Historical Society.

was possible to get sixteen furrows into each rood and sixty B.C. 55—  
four into each acre<sup>1</sup>, and still have two feet over to make the A.D. 1066.  
grass balk which divided one man's acre from another.

*Units of distance derived from measures of area.* A *Chain* (acre).  
glance at the figure will show that the breadth of a normal acre is a Gunter's Chain of 22 yards, and the term acre as a measure of lineal distance is used in this sense<sup>2</sup>, similarly the length gives a furlong of 220 yards; while *Furlong*, in ploughing half a rood, or going eight times the length of the acre, the oxen would traverse a mile of 1760 yards; *Mile*. their day's work therefore was eight miles of ploughing.

The mile however was not so commonly used in *Domesday*. *League*.  
*day* as a unit for measuring distance, as the league of twelve furlongs; and there is reason to believe that land was sometimes allotted by measuring out a square league<sup>3</sup>. On the other hand, this practice bespeaks a people who counted by twelves, and it seems to be a convenient multiple rather than a unit.

*Units of capacity* are probably derived from some convenient natural object, such as an egg<sup>4</sup>, a gourd, or a shell; but the multiples of these units ordinarily correspond with measures of area; as it was desirable to make exact allowance for the quantity of corn which was given out of the granary for seed. The relation between the two is so *Measures of Seed*. close that in some districts an acre of land is expressed in terms of the quantity of seed required to sow it; thus we have the *firlot-sowing*<sup>5</sup> four of which make up the *boll* of land, a Scotch nomenclature which corresponds to the quart and gallon. On the other hand these measures of capacity are correlated with measures of weight<sup>6</sup>; the tun is an

<sup>1</sup> Walter of Henley, *Husbandry*. MS. in Brit. Mus. Add. MSS. 6159, f 223 b.

<sup>2</sup> Eyton, *Key to Domesday, Dorset*, 27.

<sup>3</sup> O. F. Pell in *Domesday Studies*, i. 271. Even if it was not laid out in this fashion we may note that a strip of land one furlong wide by a league long, gives us 120 acres or a Domesday *hide*. The square league would be an allotment of 12 hides.

<sup>4</sup> *Ancient Laws of Ireland*, III., *Book of Aicill*, 335. On a curious mode of measuring corn see above, p. 44 note 8.

<sup>5</sup> *Statistical account of Scotland*, Wick, p. 145.

<sup>6</sup> Compare the *Aassize of Measures* (1266), 12 ounces, one pound; 8 pounds, one gallon of wine; 8 gallons of wine, one London bushell, and 8 bushells one quarter.

B.C. 55—  
A.D. 1066. example of a term which applies to weight, as well as to capacity (in the case of wine), and it apparently refers to the same quantity viewed in the distinct aspects of weight and capacity<sup>1</sup>. Curiously enough the same term is still used in Denmark to denote a "tun sowing" of land<sup>2</sup>, and thus to estimate area.

*Units of Value generally.*

*Any acceptable commodity serves as money,*

*but the precious metals are most convenient.*

*Quantities of silver which represented the value of cattle*

*or slaves.*

*The ox,*

7. 50. It has been pointed out above that the English were acquainted with the use of coinage when they landed in Britain, but it was also clear that payments in kind and barter were in vogue after the Conquest. We have evidence therefore of various *units of value* during this long period, and they were derived from the most convenient media of exchange.

In order that an article may serve as a medium of exchange, there is one quality it must possess—it must be an object of ordinary desire which is generally taken as payment; any commodity which is thus acceptable, either from its nature, or as in the case of inconvertible paper currency by convention, may be used to supply a unit of value; but for purposes of convenience from their portability, divisibility, uniformity of quality and from the facility for testing them, coins made of the precious metals have generally superseded other objects of value as media of exchange; but they appear to have been weighed out in quantities which served to represent one of the more primitive units of value—which were apparently cattle and slaves. Among the English as elsewhere cattle and slaves would always be taken as payment, and we consequently have estimates of worth commonly made in terms of cattle, and occasionally in slaves. There was however much inconvenience in such currency; it might suffice for large payments but it was not divisible, and it would not be acceptable to the merchant who travelled long distances over land or sea. The differences in the quality of different oxen rendered it an uncertain mode of payment, and there were great advantages in substituting a certain amount of silver as the representative of the normal ox. As in ancient Greece and the other Mediterranean lands the price of an ox appears from

<sup>1</sup> Barlow, *Phil. Trans.* xli. 457.

<sup>2</sup> Kelly, *Cambist*, 77, 78.

evidence drawn from a large area<sup>1</sup> to be the unit of value, B.C. 55—  
and the *solidus* of twelve pence was regarded as the equi-<sup>A.D. 1066.</sup>  
valent of an ox by Charles, in his dealings with the Saxons<sup>2</sup>. <sup>A.D. 786.</sup>  
The ox also corresponded with the *mancus* in another *mancus*.  
system of computation<sup>3</sup>, though there is no reason to believe  
that coins of this denomination were ever issued. The  
silver mancus was worth thirty pence<sup>4</sup> and the shilling in  
this system contained five pence. Again in the *Brehon Ounce*.  
*Laws* the cow appears as corresponding to the *ounce*; so that  
we have three distinct systems in which the unit appears to  
be based on the value of cattle<sup>5</sup>.

Similarly the pound may possibly have been selected *The slave*.  
as a unit because it was the silver equivalent of the worth  
of a man<sup>6</sup>; though such a phrase as 'half a pound of

<sup>1</sup> Ridgeway, *Journal of Hellenic Studies*, VIII. 151.

<sup>2</sup> Illud notandum est quales debent solidi esse Saxonum: id est, bovem annoticum utrisque sexus, autumnali tempore, sicut in stabulum mittitur, pro uno solidi: similiter et vernum tempus, quando de stabulo exiit; et deinceps, quantum statem auxerit, tantum in pretio crescat. De annona vero botrinis pro solidi uno scapilos quadraginta donant et de sigile viginti. Septemtrionales autem pro solidum scapilos triginta de avena et sigile quindecim. Mel vero pro solidi botrensi, sigla una et medio donant. Septemtrionales autem duos siglos de melle pro uno solidi donant. Item ordeum mundum sicut et sigile pro uno solidi donant. In argento duodecim denarios solidum faciant. Et in aliis speciebus ad istum pretium omnem estimationem compositionis sunt. *Capitulare Saxonum*, 11. Migne, xcvi. 202. Pertz, *Mon. Germ.* IV. 76.

<sup>3</sup> *Dunsetas*, Thorpe, I. 357, see also 28.

<sup>4</sup> *Aelfric, Grammar* (Somner, p. 52).

<sup>5</sup> *Senchus Mor*, I. 246. Though the basis is similar in each of these cases, it does not seem to me possible to explain the relation of each system to the others by taking this as a common term. The *solidus* of Charlemagne was 12 penny-weights of 32 wheat corns each or 384 wheat corns: the *mancus* was equivalent to 30 similar pennyweights or 960 wheat corns; the *Brehon ounce* to 576 corns (Petrie, *Round Towers of Ireland*, 214). How similar animals should come to have such different equivalents in silver is a problem we may leave on one side, though at that early time England and Ireland may well have been quite isolated so far as cattle breeding is concerned, but the evidence is very strong that the head of cattle gave the unit in each of these systems.

<sup>6</sup> *Dunsetas*, 7. Thorpe, I. 357. See also *Ancient Laws of Wales*, 794, 825. According to the *Leges Wallie*, II. xvii. 30, 31 and II. xxii. 18, the price of a slave was one pound, but of one brought across the sea, a pound and a half. The slave who was brought from a distance was much less likely to escape, or even to attempt it, and was therefore a more valuable property; this principle still holds good among slave owners. Slaves must have varied in quality, and the quotations of the prices actually paid were sometimes much lower, Turner, *Anglo-Saxons*, II. 98 (4to). On the other hand the toll on a man at Lewes (*Domesday*, I. 26 a, 1) was eight times as heavy as that on an ox. Navelle, *Cochinchine Francaise* XIII. 302.

B.C. 55—  
A.D. 1066. pennies<sup>1</sup> would seem to show that it was not a natural unit of value, but a measure of weight applied to making large payments of money. In any case, and as a warning against possible confusion, it is necessary to note that several distinct modes of computation for money appear to have been in vogue before the Conquest. Thus we have the *A pound.* pound divided into (a) twelve ounces of twenty-pence each<sup>2</sup>, (b) twenty shillings of twelve-pence each<sup>3</sup>, (c) forty-eight shillings of fivepence each<sup>4</sup>, (d) sixteen ounces of sixteen-pence containing 30 wheat corns<sup>5</sup>.

*Small weights.* Hence it appears that the smaller measures of weight<sup>6</sup> could be conveniently derived from weighing out small quantities of the precious metals for payment<sup>7</sup>, and that units of weight are obtainable from units of value expressed in terms of silver. The habit of paying by weight appears to have been in common use at the time of the Conquest, though payment was sometimes taken by tale, even then<sup>8</sup>.

*The relations of natural units.* 51. Many of the irregularities in our metric system are due to the fact that it contains natural units of different orders, and that it consists to some extent of definitions of one unit in terms of another. The clearest instance of this is in the Calendar, where we have three distinct units of time,—the rotation of the earth, the moon's circuit and the earth's circuit; as these cannot be adjusted their relations can only be expressed in fractions. But something similar occurs in

<sup>1</sup> Turner, *Anglo Saxons*, II. 128.

<sup>2</sup> This is Welsh. Seebohm, *Village Community*, 204, 292.

<sup>3</sup> This mode applied to Tower Pound and Troy Pound, but the amounts differed, the Tower Penny is 22 grains, the Troy 24.

<sup>4</sup> *Alfred and Guthrum*, Thorpe, II. 481. 200 shillings of five pence make four pounds and forty pence.

<sup>5</sup> Pell in *Domesday Studies*, 238, refers to *Inquisitio Eliensis*, p. 88, Pampisford.

<sup>6</sup> Large measures of weight would be connected with the amount which could be carried. Definitions of three distinct *loads* occur in the *Assize of Measures*, attributed to 31 Ed. I. These are respectively (a) 1500 lbs. of 240 pence, (b) 2100 lbs. of 300 pence, and (c) 2100 lbs. of 240 pence. The Load of the Peak is described as much smaller than the least of these. Compare the phrase *cum duobus curribus de silva*, in *Domesday* I. 199, b, 1, Snellewelle: also 2 Kings v. 17.

<sup>7</sup> Ridgeway, *Journal of Hellenic Studies*, VIII. 187.

<sup>8</sup> See for example the case of Soham in Cambridgeshire quoted on p. 164 below, also Escelforde, *Domesday*, I. 190 a, 1.

our system of measures of length where the relations of the B.C. 55—  
rod, or plough unit, and the foot can only be expressed in  
fractions. A good illustration of a table of “moneys” which  
contain different natural units of value is found in the  
Brehon Laws<sup>1</sup>.

In other cases where the larger measures consist of *Modes of computation*  
multiples and the smaller ones of divisions of a natural unit <sup>com-</sup><sub>putation.</sub> it is difficult to account for the practice of one people in  
counting by twelves and another by tens; some by fours and  
others by threes. Similar modes of counting were applied  
to quantities of different sorts.

In weight the ton with its twentieth part divided into quarters is a similar mode of computing to the smaller weight of the ounce divided into twenty pennies and farthings. So in measures of area; the acre consisting of four roods of forty perches each is computed in the same fashion as the two-field carucate of 160 acres, which could be divided into four bovates of forty acres each. With this a monetary system corresponds also, as the mark of 13s. 4d. contains 160 pence<sup>2</sup>. Similarly the village organisation at Bampton described above<sup>3</sup> is arranged in sixteens, and the use of this multiple suggests an affinity with the Mercian ounce of sixteen pence, but it need not extend farther than to the mode of computation; they would naturally use the same method of multiplication for quantities of land and of money.

<sup>1</sup> Irish Laws, *Senchus Mor*, i. 246.

<sup>2</sup> v. yards di make a perche in London to mete lands by, and that perche is xvi fote di longe. In dyvers odur placis in this lande they mete grounde by pollis, gaddis and roddis som be of xvij foote, som of xx fote and som xxi fote in length, but of what length soe ever they be Clx perches make an akir, for as a mark conteyneth Clx pence soo every akir land conteyneth Clx perchies, and as a noble conteyneth lxxv pence so half an aker lande conteyneth lxxx perchis. *The forme and the MeASURE to mete land by* (time of Ed. IV.) in Douce's *Arnold's Chronicle* (1811), p. 178.

The agreement between the two different tables was commonly used as a means of calculating the size in acres and roods of any piece of land, measured in perches. R. de Benese, *Boke of Measuryng of lande*,

mark = acre.	40d. = 1 rood.
royal (10s.) = 8 roods.	12d. = 3 day works.
noble = $\frac{1}{2}$ acre.	1 grote = 1 day work.
5s. = 1 rood and v day works.	1 p. = 1 perch.

<sup>3</sup> See page 80, note.

B.C. 55—  
A.D. 1066.  
*Units of assessment.*

52. *Domesday Book* in which so many of the incidents of English life before the Conquest are preserved also records the existence of an elaborate system of taxation which raises the question as to the unit of assessment. There had been various collections of Danegeld in pre-Norman<sup>1</sup> times, and the Domesday Survey avowedly followed the old precedents.

*Hide.*

The *hide* is the unit of assessment over the greater part of England; this word in its vague original sense referred to the land which was suitable for a family; and of course included arable land and pasturage for the cattle which worked it<sup>2</sup>. The quarter of the *hide* was a *virgate*. These terms have no direct relation to land under plough, and as a unit of assessment the *hide* was applied in Dorsetshire<sup>3</sup> to large tracts of land which may not have been cultivated at all; but when applied to arable land, it seems to have had reference to an area of 120 acres<sup>4</sup>. The land which was taxed was land under crop; consequently if the 120 acres were worked on the three-field system the portion under crop would be 80 acres, or if on the two-field system, it would be 60 acres. The *hide*, as a unit of assessment, may be defined as the value of 60 to 80 acres of land under crop.

*Carucate.*

In the Danish parts of England the unit of assessment both under the Confessor and the Conqueror was apparently the *carucate*, which, with its quarter the *bovate*, has distinct reference to tillage and the team which carried on the work<sup>5</sup>. The agricultural *carucate* was according to *Fleta* 180 acres on the three-field system, i.e. 120 under crop; or 160 on the two-field system, i.e. 80 under crop. According to Dr Isaac

<sup>1</sup> Round in *Domesday Studies*, I. 79.

<sup>2</sup> Ambreslege. *Heic antiquitus pro iii hidis fuit liberata, sicut dicunt cartae de ecclesia (Evesham).* Sed tempore regis Edwardi fuit numerata pro xv hidis inter silvam et planum, et tres hidis ex eis sunt libere. *Domesday*, I. 175 b, 2.

<sup>3</sup> Eyton, *Key to Domesday, Dorset*, 18.

<sup>4</sup> Mr Round (*Ancient Charters*, 68) points out that land at Tillingham, which is entered in one charter as a *hide* and a half and 10 acres, is also described as 'three holdings of 60 acres plus one of 10 acres.' Dr Bryan Walker and Mr Pell argue that the *hide* represented 120 acres of land under crop, together with the fallow shifts; i.e. 180 or 240 acres in all, *Camb. Ant. Soc. Communications*, VI. 47, 72, but see Mr Round in *Archaeological Journal*, March, 1889.

<sup>5</sup> The usual team was eight oxen, and a *bovate* the land suitable for the man contributing a *yoke*. Round, *Domesday Studies*, I. 200. Asketone. *Ibi sunt iii villani et i bordarius cum x bobus arantes. Domesday*, I. 269 a, 1.

Taylor's interesting investigation<sup>1</sup>, the three-field carucate, B.C. 55—<sup>A.D. 1066.</sup> with its two fields in crop, is assessed as two. Hence the carucate, as a unit of assessment, means the value of 60 to 80 acres of land under crop, or exactly the same as the hide in other counties.

If further investigation shall confirm this view of the unit of assessment it follows that the similarity between the divisions of the carucate and those of the pound were not arranged for the sake of fiscal convenience, as the area of 60 acres or of 80 acres were treated as identical, not as rendering a rate of twopence per acre, and so giving sums 10*s.* and 13*s.* 4*d.* respectively.

Other places, and especially the towns, appeared to be <sup>The</sup> *hundred.* measured by a different unit, the *hundred*, or *half hundred*; it has been suggested with much ingenuity by Mr Round that these are really multiples of another unit which was primarily intended to estimate responsibility for service in the fyrd. The possessor of five hides was responsible for sending one man to the host; this is stated as the custom in Berkshire, Exeter and Malmesbury<sup>2</sup>. It may well be that the towns were assessed in terms of their military responsibility, which was stated in multiples of five hides<sup>3</sup>, and that this same assessment was taken to serve for their fiscal responsibility with reference to levies of gheld. The town that was rated as one hundred, would be bound to furnish twenty soldiers for the fyrd<sup>4</sup>, and also to pay £10, £5 at Christmas and £5 at Whitsuntide<sup>5</sup>, when the geld was levied at the usual rate of 2*s.* a hide. The term hundred is used here not to denote an area, but as a mere unit of assessment for military service and fiscal payments; though there can be no doubt that the organisation of the hundred as a terri-

<sup>1</sup> *Domesday Studies*, I. 157.

<sup>2</sup> Round in *Domesday Studies*, I. 120.

<sup>3</sup> *Ranks*. Thorpe, I. 191.

<sup>4</sup> Bedeford tempore regis Edwardi pro dimidio hundredo se defendebat, et modo facit in expeditione et in navibus. Terra de hac villa nunquam fuit hidata. *Domesday*, I. 209 a, 1.

<sup>5</sup> Very severe measures were taken with anyone who was not punctual in paying at the terms. Under Cnut persons four days in arrear with their taxes were liable to forfeit their lands, and 'wita' appears to have been a payment in lieu of forfeiture. Round, in *Domesday Studies*, I. 89.

B.C. 55—  
A.D. 1066. torial and judicial division was much used in connexion with the revenue, and the information in regard to the rating of each manor was taken according to the oaths of the men of the hundred.

*The manor as the channel of payment.* There is another term in *Domesday* which might at first sight appear to be a unit of assessment; for we read that land was held *pro ii maneriis*<sup>1</sup>; this however, as Professor Maitland suggests<sup>2</sup>, more probably describes the channel of payment, and has no direct bearing on the amount of payment. Manors were of most various sizes, and of very different values; but the owner of each manor, big or small, might well be responsible for the payment of the Danegeld for that estate. This too would explain part of the relation between the free tenants and the lord of the manor; if he was responsible in the first instance for their fiscal payments they would form part of the manor as a 'unit of geldability,' even if the lord had no other claims upon them, and they owed him no military service. We may thus think of the hide (or carucate) as the unit of assessment, and of the manor as the local organ, through which payments were made.

*Facilities for foreign trade.* 53. The fact that the English had come to require and make use of definite measures of all sorts is one of the most obvious proofs of the progress of society; they were in possession of the skill and terminology by which men are able to drive a bargain with precision. This would be of use for all the purposes of daily life, and for the internal trade at little markets, but there is other evidence which shows that there were increased facilities for foreign trade as well.

*Fixed customs.* a. The improvement in this respect is partly parallel to the changes which have been noticed above, where personal duties gave place to specified obligations which were incident to the possession of property; in a somewhat similar fashion the position of the foreign trader was rendered definite and his obligations were limited and became precise as customs.

<sup>1</sup> Ridmerlege. Ulmar et Ulchetal tenuerunt pro ii Maneriis et poterant ire quo volebant. *Domesday*, i. 176 a, 2.

<sup>2</sup> *Select Pleas, Manorial (Selden Society)*, i. xl. There is a curious entry regarding Neweton between the Ribble and the Mersey. Hujus Manerii aliam terram xv homines quos drenchs vocabant pro xv maneriis tenebant, sed hujus manerii berewichea erant, et inter omnes xxx solidos reddebant. *Domesday*, i. 269 b, 2.

The kings at first exercised a personal protection over the B.C. 55—  
A.D. 1066.  
few chapmen who wandered about the country, a protection which Charles the Great assured to English merchants; but they could hardly hope to obtain this favour if they came empty handed. It is thus that English traders in the present day have to secure their footing in half barbarous countries by presents and bribes; it is an immense advantage to them, as it was to early merchants here, when regular and fixed rates of tolls are substituted for these gifts. This was certainly the case in the eleventh century, as we know the tolls which were charged at Billingsgate in the time of *Æthelred*<sup>1</sup>.

b. Besides providing for the protection of the trader the *Anglo Saxon dooms* also contain much legislation in regard *com-mercial crime*. Business had to be conducted publicly before witnesses, as there was no means of giving a regular receipt, and it might often have been difficult for a man to prove that he had not stolen a purchased article unless his statement was supported by testimony; hence the obligation of trading "in port." But there was danger of dishonesty in rural occupations also; horses or cattle might be stolen and hence it was necessary for men who wished to live at peace

<sup>1</sup> *Dooms of London* (*Laws of Ethelred*, iv. § 2), Thorpe, i. 300. Tolls were demanded at inland towns as well as at seaports. "Wainshilling" and "load penny" at Worcester (899) are described as dues that always go to the king and cannot therefore be remitted or assigned by an alderman (Thorpe, *Dip. Ang.* 188). But these were sometimes granted by the king, as e.g. Edgar granted (978) the market dues at Taunton to the See of Winchester (Thorpe, *Dip. Ang.* 235); or as Cnut did to Canterbury (1028): "And I give to the same monastery for the subsistence of the same monks, the haven of Sandwich, and all the landings and dues of both sides of the stream, let own the land whoever owns it, from Peppeness to Marfleet; so that when it is full flood, and the ship is afloat, as far as a taper axe can be cast from the ship upon the land, let the ministers of Christchurch receive the dues.....And theirs shall be the ship, and the ferry over the haven, and the toll of all ships...and all that which is found on this side of the middle of the sea, and brought to Sandwich, be it a garment, be it a net, or a weapon, or iron, gold or silver, the half part shall be for the monks and the other part shall be for him who finds it" (Thorpe, *Dip. Ang.* 317). On tolls at later periods, see pp. 204, 256.

<sup>2</sup> *Laws of Edward*, i. Thorpe, i. 159. *Laws of Æthelstan*, 10, 12. Thorpe, i. 205. *Laws of Edgar, Supplement*, 8. Thorpe, i. 275. Special care was taken in regard to certain classes of goods, such as cattle and old clothes, where the presumption of theft was particularly strong. *Laws of Edward the Confessor*, 38. Thorpe, i. 461.

B.C. 55—  
A.D. 1066.  
*Gilds.* to form associations for mutual aid in the pursuit of nefarious persons. The regulations for the City of London are very interesting<sup>1</sup>, and those of the Cambridge gild are worth noting also<sup>2</sup>. These were less concerned with the recovery of property than with enforcing due money penalties for manslaughter and personal injuries. It is most unfortunate that the ordinances of the *cnighthen gild*, which existed in London in the time of Henry I<sup>3</sup> and of the similar gilds in Canterbury<sup>4</sup> and Winchester<sup>5</sup>, have not been preserved. There is some incidental and circumstantial evidence<sup>6</sup> which goes to show that they were really gilds of merchants<sup>7</sup>, and they may have been the germs of the gilds merchant, which were established in so many towns in the twelfth and thirteenth centuries.

*Trade policy.* c. There are also some slight indications of a trade policy: so far as exports were concerned, the chief desire was that we should not part with them too easily. It seemed a pity that valuable goods should go to foreigners except on terms that were really remunerative. The weigh<sup>8</sup> of wool was to be sold for 120 pence; and if any was sold at a cheaper rate both the buyer and seller were to forfeit 46 shillings to the king<sup>9</sup>. In

<sup>1</sup> *Ethelstan's Laws*, v. Thorpe, i. 229. It is at least doubtful whether these *judicia* are properly described as gild ordinances. Dr Gross (*Gilda Mercatoria*, 11) treats them as police regulations imposed from above, not framed by the members of an association or gild for themselves. In later times it was not uncommon for the rules of a craft gild made by the members to be enforced by the weight of municipal authority.

<sup>2</sup> Cooper's *Annals*, i. 11. The ordinances of the gilds which existed early in the eleventh century at Exeter, Woodbury and Abbotsbury show that they were primarily religious organisations for providing masses for the souls of deceased brethren.

<sup>3</sup> Rymer, *Fœdera*, i. 11.

<sup>4</sup> Kemble, *Code Dipl.* ii. 88.

<sup>5</sup> Liber Winton. 1 (*Domesday Book*, iii. 581). See below, p. 206.

<sup>6</sup> Dr Gross, who has called attention to the passages referred to in the text, has treated the whole subject very carefully in his *Gilda Mercatoria*, pp. 19—25 and 98. He shows that the term *cnighth* was commonly used as the designation of townsmen in charters, along with the *Portgerafa*. The connexion of the London gild with Portsoken ward is also of interest.

<sup>7</sup> Somner, *Antiquities of Canterbury*, (Ed. Batteby) i. 179. In an exchange of land between the gild and Christchurch, the gild is described as the *cnights at Canterbury* or *ceapmann gild*.

<sup>8</sup> The weigh was half a sack; the sack consisted of twenty-eight (or thirty) stone of 12½ lbs. *Assize of Measures*, 81 Ed. I.

<sup>9</sup> *Laws of Edgar*, ii. 8. Thorpe, i. 271. The setting of a fixed minimum of

all probability wool was even then a principal article of B.C. 55—<sup>A.D. 1066.</sup> export; it is enumerated in Henry of Huntingdon's account of the valuable products of England<sup>1</sup>, and the fact that the fleece was worth  $\frac{1}{3}$  of the sheep<sup>2</sup>, seems to show that wool-growing was very profitable. We shall come across many instances of similar laws protecting native products in after times<sup>3</sup>.

The one surviving set of regulations for the transactions of foreign merchants is also of great interest, as it indicates a scheme of policy that was enforced for many centuries. The foreigner was only to sell wholesale<sup>4</sup>, and he was not to interfere with the employments of native Englishmen by engaging in any work which the citizens were wont to do, or by retailing to one another<sup>5</sup>. This interesting set of dooms is chiefly concerned with defining the liberties of the townsmen and protecting them against the abuses of royal power; but we also learn that the position of the foreign merchant was not wholly uncertain and merely dependent on the personal favour of the monarch and the protection it afforded. The Rouen merchants who brought *Aliens*. wine had secured definite conditions for the exercise of their calling, and the Men of the Emperor had obtained a factory in London with special commercial immunities. In this case, as well as when rights over fairs and markets were granted to special proprietors, the royal control of trade came to be exercised under the form of proprietary grants, and the royal demands were rendered precise when they were expressed as specific obligations.

54. The practice of exchange had gone so far at the time *Trade and the division of employments.* of the Confessor that it had greatly affected the structure of society. Regular intercourse would soon undermine the self-sufficiency of the separate communities: the mere fact that

price for an export is worth notice at this early date; the same policy was afterwards enforced by parliament, and also by Merchant Companies. pp. 292, 373.

<sup>1</sup> See below, p. 183.

<sup>2</sup> Craik, *Pictorial History of England*, I. 265, 275.

<sup>3</sup> See below pp. 282, 392, also above p. 75 n.

<sup>4</sup> Not less than twelve pounds of pepper or spices, and cloths of silk, wool or linen were to be sold in the piece.

<sup>5</sup> *Laws of Edward the Confessor, Libertas Civitatum*, Thorpe, I. 464.

B.C. 55—  
A.D. 1066. coinage was coming more and more into circulation shows that trade was becoming more general. The increase of trade too gave opportunity for more specialisation and greater division of employments. An early example of reflections on the combination of employments and its advantages is to be found in *Archbishop Ælfric's Colloquium*<sup>1</sup>, which was written for the purpose of instructing English boys in the Latin tongue. Before A.D. 1051. It is a dialogue between the teacher and a number of men who were engaged in work of different kinds. It gives us a vivid picture of the day's work of the ploughman and his boy, with all he had to do, as well as the duties of the oxherd, who tended the cattle at night in the pasture. We read also of the king's hunter, who took game with nets and also hunted with dogs, and who was provided with food and clothing and a horse by his royal master. There was a fisherman, too, who fished in the rivers and found a good market in the towns, but who rarely went on the sea and was too timorous to try to catch a whale. There was a hawker, as well as a merchant, who boasted that he was of service to the king, and the alderman, and the wealthy, and all the people, for he went in his ship, with his goods, and bought precious things<sup>2</sup> which were not native to England, and brought them across, despite the perils of the deep and the risks of shipwreck. And when he brought them he tried to sell them for more here than he paid there, so that he might have some gain and support his wife and son. The salt maker, the baker, and the cook follow; a group of artisans is next introduced, and the question is propounded, Which is the best of crafts? The reply is tillage, since the ploughman feeds us all. But the smith objects that he is more necessary, since he supplies the ploughshare, and the coulter, and goad, and indeed the implements for every craft. The wright puts in his claims to preeminence, and the discussion is closed by the wise man, who repeats his view, as to the primary importance of tillage, while he exhorts them all to be diligent in their respective callings. In this interesting picture of eleventh century society we see that

<sup>1</sup> Thorpe, *Analecta Anglo-Saxonica*, p. 101.

<sup>2</sup> He imported purple, silk, gems, gold, dyed stuffs, dyes, wine, oil, ivory, latten, brass, tin, sulphur and glass.

there were such facilities for exchange that the division of B.C. 55—  
A.D. 1066.  
employments could be carried out to some extent, while at the same time the inter-connexion of these employments and the necessity of their harmonious working for the common good is clearly recognised.

We have also an interesting statement, from pre-Norman times, of the end which all these various callings seemed to subserve. King Alfred has left on record his views of national prosperity and of the means by which the king should strive to attain it. The passage is introduced in his translation of *Boethius*<sup>1</sup>. "When Wisdom had sung this lay, he was silent, and the mind then answered and thus said; O Reason, indeed thou knowest that covetousness, and the greatness of this earthly power, never well pleased me, nor did I very much yearn after this earthly authority. But nevertheless, I was desirous of materials for the work which I was commanded to perform; that was, that I might honourably and fitly guide and exercise the power which was committed to me. Moreover, thou knowest that no man can shew any skill, or exercise or control any power, without tools, and materials. That is of every craft the materials, without which man cannot exercise the craft. This then, is a king's material and his tools to reign with; that he have his land well peopled; he must have bead-men, and soldiers, and workmen. Thou knowest that without these tools no king can shew his craft. This is also his materials which he must have beside the tools; provision for the three classes. This is, then, their provision; land to inhabit, and gifts, and weapons, and meat, and ale, and clothes, and whatsoever is necessary for the three classes. He cannot without these preserve the tools, nor without the tools accomplish any of those things which he is commanded to perform. Therefore I was desirous of materials wherewith to exercise the power, that my talents and fame should not be forgotten, and concealed. For every craft and every power soon becomes old, and is passed over in silence, if it be without wisdom; for no man can accomplish any craft,

<sup>1</sup> *Boethius*, I. c. 17 in *King Alfred's Works*, II. 452 (Jubilee ed.).

B.C. 55—  
A.D. 1066. without wisdom. Because whatsoever is done through folly, no one can ever reckon for craft. This is now especially to be said; that I wished to live honourably whilst I lived, and after my life to leave to the men who were after me, my memory in good works."

Of King Alfred it may certainly be said that he attained the object of his noble ambition; but his whole view of state-craft, and of the duty of a king to interest himself actively in all the different sides of national life, is in itself instructive, and may help us to understand the immense influence for good and for evil, which was exercised by the crown in subsequent reigns.

## II. FEUDALISM.

### I. THE NORMAN CONQUEST AND ITS EFFECTS.

55. IN a preceding paragraph we have traced the gradual change by which both in the kingdom and the manor personal ties developed into proprietary obligations; the whole social fabric was kept together by a number of contracts between different holders of land; the land which was commended to a powerful neighbour was secured from other aggressors by a contract; the office which was granted to a judge or a sheriff was held under terms of a contract; the gebur's tenure of land was a contract between the manorial lord and his serf, in terms of land and service. Such is the form under which these various social relationships can be described; but opportunities of revising the terms of any of these bargains rarely occurred; men were generally forced to accept a position which had been defined long before they were born and which they could do little or nothing to improve. Each individual among the people had a definite status determined by his relations to other individuals, and hence they composed, not a community, nor a tribe, still less a nation, but a feudal system in which each man took his place, not through ties of blood or loyalty, still less through citizenship, but in accordance with inherited and forced, rather than free, contracts.

The mere attempt to portray the characteristics of a feudal system brings into light its grave defects—defects *its defects.* which soon called forth antagonistic influences. Indeed the

A.D. 1066 reaction was at work from such an early time that it is probably more correct to say that there was an active feudalising tendency, of which the effects still survive, than to speak of feudalism as a system,—for the system was breaking up before it was completely formed. In the times when the tendency first showed itself there was no sufficient public protection, men had to seek protection by agreement with their neighbours; there was no sufficient machinery for guarding the realm or administering justice; for national enthusiasm or public spirit there was no place in a feudal system<sup>1</sup>. Such a system was necessarily only a passing stage of social progress; had the national life been permanently confined by its narrow restrictions, no great material achievements could ever have been accomplished. For growth and development imply change; the feudal contracts would have so fettered individuals as to check all energy and enterprise<sup>2</sup>.

*The king's position.* There can be little doubt that feudalism gave far greater securities for person and property than there had been before it arose; but it is to be noticed that when it had once become an organized social system, the whole of its working depended to an extraordinary extent on the personal character of its head.

A.D. 1017. Up till the time of Cnut there had been a gradual extension of the royal power; in the Norman reigns we see it reaching its greatest vigour; the first William checked the tendency for the great feudatories to become independent of the crown, and made the relationship of each subject to the crown to be clearly felt; the *Domesday Book* with its constantly repeated “quando recepit” marks the beginning of this definite assertion of royal authority over all conditions of men in the land, and of royal interest in the details of their circumstances. The king is the centre of the whole, and it is by their relationship to him that the various tenants in chief are connected together; with each the king has a definite

<sup>1</sup> G. W. F. Hegel, *Philosophy of History*, 385.

<sup>2</sup> The deleterious effects of many traditional covenants in farm leases—as to the course to be adopted, &c.—are becoming generally recognised, and are an instance, on a small scale, of the evil noted in the text.

compact—such possessions held in return for such services. A.D. 1066  
 Looking back on this feudal system we find that it worked —1272.  
 so differently in different reigns that it is impossible to  
 appraise it as good or as bad; when we see what society  
 became at the times, such as Stephen's reign, when the A.D. 1135—  
 authority of the king was set at nought<sup>1</sup>, and the whole 1154.  
 fabric fell to pieces in consequence, we are inclined to pass  
 a judgment<sup>2</sup> on the tyranny of William different from that  
 which we should pronounce if we contrasted his rule with  
 government by a modern constitutional monarch. |

Of all the cant which is current in the present day about history, none is more pernicious than that which despises the story of real personages and real events and busies itself about abstractions, which tells us that it is not concerned with kings and battles, but with the life of the people. It is true indeed that in modern times the life of the people can be treated apart from the consideration of the personal character of George IV. or William IV. But in *The king's influence.* the Norman reigns this was not the case; security for person and property, intercourse with other nations and commercial advance were directly connected with the personal character of the king; the life of the people was most deeply affected in every way by the strength or weakness of his disposition. It would be interesting to try to explain the reasons of this change, and to show why the personality of the king which was so all important long ago is of comparatively little moment now; but it is merely idle to ignore the fact, or to try to understand the history of the Norman reigns without taking it into account.

<sup>1</sup> "When the traitors perceived that he was a mild man, and a soft and a good, and that he did not enforce justice, they did all wonder.....Every rich man built his castles and defended them against him, and they filled the land full of castles. They greatly oppressed the wretched people by making them work at these castles, and when the castles were finished they filled them with devils and evil men. Then they took those whom they suspected to have any goods, by night and by day, seizing both men and women, and they put them in prison for their gold and silver, and tortured them with pains unspeakable, for never were any martyrs tormented as they were." *English Chronicle*, 1187 (Bohn's Series).

<sup>2</sup> *English Chronicle*, 1067, see also on Henry I. "He was a good man and great was the awe of him; no man durst ill treat another in his time: he made peace for men and deer." *English Chronicle*, 1185.

A.D. 1066  
—1272.*Little scope for individual enterprise**in agriculture,**industry**or trade.**William Rufus.*A.D. 1087—  
1100.

A.D. 1094.

We may fully believe that feudalism was the best social system possible in England in the eleventh century, but the very fact that it was so, marks the extraordinary difference between that age and this. Nowadays the free play of individual self-interest is assumed in commercial arrangements, and this force has given the greatest possible incentive to the development of industry by inventions, and of commerce by enterprise; the main principle of much commercial legislation in this country has been that of giving free scope to this individual, self-interested activity. But for this, the social system, during the Norman reigns, gave no scope whatever; there could be but little desire of accumulation when the ever-recurring tallages, aids and fines, were sure to empty the hoards that had been filled during several preceding years. There could be no enterprise in seeking out a new line of life, for each villan was bound to the land, and no lord would willingly part with his services; there could be no high farming while the custom of the manor and the collective ownership of the teams forced all to adopt the same system<sup>1</sup>. Even in trade, there was little opportunity of raising oneself, for the prices of articles of native production for which there would be much competition were regulated by authority<sup>2</sup>; and merchants too were subject to special risks, or to special fines for protection, as well as to heavy trading dues. If the royal authority was a key-stone for the whole social fabric, it is not less true that the condition of industry and commerce was directly affected by the royal decisions; the initiative in progress, where progress was made, lay far less with individual traders than with the king himself.

The story of the reigns of William's two sons brings into clear light the extraordinary influence which the personal character of the king exercised on the whole condition of society and on every relation of life. The Red King, with some chivalrous benevolence, yet fearing neither God nor man, made the most of every occasion for extortion which the ingenuity of Ranulf Flambard was able to devise, so as

<sup>1</sup> On the break-up of this system see below, p. 256.<sup>2</sup> At least in accordance with legal regulations; see below, p. 230.

to support a body of mercenaries and to defray the cost of building great castles and defences at Chepstow, Carlisle, and elsewhere. It was in his time that the military obligations to which the tenants were liable were first explicitly demanded; what was implied in the whole Domesday Survey, but never stated there, was now logically expanded and ruthlessly enforced. The feudal system of taxation was that of giving aid as occasion demanded, and the art of the crown advisers consisted in making occasions. So too each great office, supported as it was by revenues of some kind or another, was looked upon as a possession granted by the king, and for the bestowal of which he might fairly demand a relief; the public responsibilities of officers of state were unthought of, and the sacred calling of priests and bishops was ignored<sup>1</sup>. The worst abuses of the reign of the Red King are recorded in the charter<sup>2</sup>, in which Henry I. specifies the evils he will seek to remedy.

In the reign of a wise administrator like Henry I. we find that all this is completely changed; it was in him to develop a well-organised and firm government, so that the people might be at peace while the king profited by their immunity from violence. The exactions of Henry were perhaps more oppressive, in a sense, than even those of Rufus, since they were more frequent; for the large occasional aids of these times were not supposed to fall upon income, but to be drawn from the accumulated hoards of several seasons. Yet even in spite of all this the Lion of Justice did so far maintain security for life and property as to give more favourable conditions for industry than had been known for many preceding years. It was thus that the needed initiative was taken by the king, and that trade began to thrive.

<sup>1</sup> On the death of a bishop the revenues were treated as escheating to the king, of whom he held his office.

<sup>2</sup> "1. Scitis me Dei misericordia et communis consilio baronum totius regni Anglie ejusdem regni regem coronatum esse; et quia regnum oppressum erat injustis exactionibus, ego, Dei respectu et amore quem erga vos habeo, sanctam Dei ecclesiam imprimis liberam facio, ita quod nec vendam, nec ad firmam ponam, nec mortuo archiepiscopo sive episcopo sive abbate aliquid accipiam de dominico ecclesie vel de hominibus ejus donec successor in eam ingredietur. Et omnes malas consuetudines quibus regnum Anglie injuste opprimebatur inde aufero; quas malas consuetudines ex parte hic pono:" &c. Stubbs, *Select Charters*, p. 100.

A.D. 1066 — 1272. | If the king profited, it was because of the comparative prosperity of the people under his rule ; and when the terrible anarchy of the so-called reign of Stephen was over, the same course was pursued by Henry II. |

*Henry II.*  
A.D. 1154—  
1189. | It is in the reigns of the second Henry and his sons that we see the crown attaining to its highest pitch of irresponsible power ; his governing is no longer the reckless self-assertion of a tyrant like Rufus, but an unfettered sway by the head of a great social system, of which all the parts were completely subordinated to himself. This result was partly attained by the commutation of the personal knightly service, which had been expected in the preceding reigns from those who held land by military tenure, for the payment of *scutage*, with which the king could maintain a more regular army. A somewhat similar change had taken place with regard to other contributions for military purposes ; it

*Scutage.*  
*Danegeld.* had begun when *Æthelred* levied *geld* to hire mercenaries instead of calling out the national host<sup>1</sup>. Each demand for *Danegeld* was practically based on the duty of assisting to repel an invader ; and though the excuse for the levy of stipendiary *Danegeld* ceased under the Confessor, the people were still liable to the old obligation of assisting to defend the realm. In the first Norman reign it was levied on several occasions ; and in 1084 at the treble rate of six shillings per hide ; Rufus took a *geld* of four shillings per hide in 1096, and his successors were able to extort the tax annually. When Henry II. obtained money in lieu of knightly service, he rendered the crown more free from the recurrence of embarrassments, such as those which had prevented Harold from keeping his levies together on the south coast, and which had stood in William's way when he called his barons to aid him in his crusade for a kingdom.

The feudal system in England was in form one of contracts between the king as centre of the whole, and each of his tenants ; but there was no public opinion to determine the contracts, and no public authority to see that they were truly carried out on both sides ; nor did any of his successors

<sup>1</sup> On the whole subject see Round in *Domesday Studies*, 77.

show the same conscientiousness in trying to be fair, as is A.D. 1066 evidenced for us in the pages of William's Survey. | When —1272. the tenants were able to elude the performance of their obligations, society fell into a state of anarchy; when the *Anarchy*. king was strong enough to hold his own, he was strong enough to defy resistance and to strain the obligations of the barons in his own favour—he was practically irresponsible. Thus the period of feudalism was not so stagnant as the nature of the system might have led us to expect; there was a constant change from anarchy to irresponsible monarchy, and from irresponsible monarchy to anarchy. Through the whole of this political ferment new ideas began to spread, till new social forces made themselves felt, and new institutions arose. |

56. The modifications, which were introduced during *Norman administration* the Norman reigns, into the administrative system, were undoubtedly due in many cases to the influence of Norman advisers or to the experience which had been gathered in the government of that duchy. This is most clearly seen in the constitution by the Exchequer<sup>1</sup>, and the limitations which were put on the power of the great feudatories; but there has sometimes been a tendency to exaggerate these changes and to speak as if William the Conqueror introduced the feudal system into England. A social system cannot be introduced like a new fashion from France, and it had been growing for generations in England before his time. Most important steps had been taken under Cnut. Till his reign A.D. 1017. we may trace the absorption of authority into the kingly office; from his time onward we may rather notice the leasing out of royal rights to particular individuals, and for particular districts. It was he who reorganised the national system of defence on a basis of contract, while his forest laws anticipate much of the regulation that is popularly ascribed to the Conqueror.

The changes introduced by William of Normandy were *Changes among the land-holders* not forced upon the country generally, but were introduced whenever the death of the tenant or his participation in any of the rebellions, including resistance to the original invasion,

<sup>1</sup> *Madox, Exchequer*, iv. §§ 4, 5.

A.D. 1066 gave occasion for the redistribution of the soil. Such lands  
 —1272. were then granted on the condition of military service, while  
 the Danegeld was exacted again, and more frequently than  
 before; the military resources of the country were thus  
 immensely increased; but it is rather true to say that a  
 military direction was given to the existing feudalism than  
 that the Normans introduced the feudal system. A glance at  
 a page of *Domesday Book* will certainly show that a very large  
 number of landholders had been dispossessed on one pretext  
 or other; all, except ecclesiastical corporations, who con-  
 tinued to hold their lands, did so because they were reinstated  
 in them by the king, but the terms on which land was  
 held were never arbitrarily altered; we thus get important  
 evidence to show how far the process of feudalisation had  
 gone before the death of the Confessor. By far the larger  
 number of *sochemanni* in Cambridgeshire had been bound to  
 render *avera* and *inward*, or to pay a composition; and the  
 relation of Earl Harold to Edward is very parallel to that of  
 Earl Alan to William.

and in the  
 terms of  
 tenure.

The tenants thus instated, entered into a position which  
 was defined by the legal genius of Flambard as a military  
 tenure; it was not explicitly so in William's time, and he  
 even modified the character of English feudalism by taking  
 steps to secure the effective control of the crown over the  
 military resources of the land. He would have no great  
 feudatories like the house of Godwin under Edward, or Edwin  
 and Morcar under Harold; a strict limit was placed on the  
 possessions assigned to the most trusted favourite, and a  
 direct relationship established between each of the numerous  
 smaller tenants and the king himself<sup>1</sup>. The success of this  
 policy can be best seen by comparing the histories of the  
 kings of England and of Scotland or France. The Scottish  
 crown never kept the great families in real subjection; but  
 it was only by unusually persistent combinations, or at times  
 of special weakness, that the barons were able to resist or  
 control an English king.

Commen-  
 dations.

That the feudal system was not brought from abroad and  
 imposed from above becomes still clearer when we fix our eyes

<sup>1</sup> Freeman, *Norman Conquest*, v. 366.

more closely on the evidence of the felt necessity for committing one's life and property to the protection of another; the extension of the king's 'peace,' and of the jurisdiction of his officers along with other signs of this tendency, have been noted above<sup>1</sup>, while in later days people were only too glad to buy a measure of exemption and to treat for the right to manage their own affairs. Not only was regal protection sought after; freemen commended themselves to a lord of the manor while preserving a measure of their freedom; or laymen made over their property to a monastery in order to have the advantage of the exemptions which Church lands enjoyed; this tendency was at work and gave occasion for special legislation in the reign of Edward I. A system which was the natural outcome of such deeply rooted and widely operative tendencies was certainly no foreign importation.

On the other hand it is hardly possible to exaggerate the importance of the new factors that were brought into play by the close connexion which now subsisted between England and the Continent. From the time when the Romans left Britain, till the days of Alfred, England had been almost entirely isolated from the rest of the civilised world; the occasional visits of merchants and the journeys of ecclesiastics were, after all, few and far between. The energies of Alfred and the reforms of Dunstan had done something to check the decay, and to enliven the stagnant energies; but England was not really recalled from its isolation till it was absorbed in the great Danish empire, and made to partake in the commerce and adventure of the Northmen. Though this life was fresh and vigorous, it was in some ways ruder than their own; and the Norman Conquest is more important than the Danish, not so much because it introduced a new and fresher element, as because it brought us in closer contact with all that was best in Christendom at the time.

Of all races in Europe the Normans were most fitted to play this part; the conquerors of Neustria had been too few to introduce many usages of their own, but they had appropriated all that was best in the culture of the people over whom they had gone to rule. The original stock differed little from

<sup>1</sup> See above, §§ 48, 47.

A.D. 1066

—1272.

A.D. 1290.

Changed relations with the Continent.

A.D. 401—871.

A.D. 960.

A.D. 1017.

A.D. 912.

The Normans.

A.D. 1066 — 1272. that of the Danes ; they too were pirates and adventurers ; they were not however mere pirates when they obtained the power in England. Still the spirit of adventure was not dead among them ; they found their way to Sicily and the Mediterranean, and they were foremost among the Crusaders. It was chiefly because England had become the possession of the Normans, that she was drawn out of her isolation to take a place among the nations and have a part in the life of Christendom.

*Personal and dynastic connexions.* Even in this matter also we may notice the importance of the personal characters of the kings and of their dynastic relationships. William the Conqueror had married Matilda of Flanders, and the first great immigration of foreign artisans was partly determined by the fact that the Flemish weavers hoped to find a protectress in the queen ; Richard's ambition as a crusader, John's failure in his continental schemes and more than all his homage to the Pope, had no little effect in determining the course of English progress ; while the spasmodic piety of the third Henry had much to do with attracting the colonies of religious men who set themselves to repair the destruction which William had made when he devastated Yorkshire. In each reign we have new foreign connexions, and new foreign elements introduced. Some remained alien, like the favourites of Henry, and were at length expelled from English soil ; but others were assimilated so as to become part and parcel of the English people, and to be important elements in the development of English industry and commerce.

*Analogy with Western influence in India.* It may not be fanciful to compare the economic changes which took place at the Norman Conquest through the advent of foreign rulers to England, with those that have occurred in India under the British government. We have created an effective rule over all parts of that Empire ; and the establishment of one centre of supreme administration as a power which makes itself felt in every part of the land bears some analogy to that which worked in English as compared with Continental feudalism. India has been suddenly brought in contact with Western civilisation. English arts and inventions are being introduced on every side and are trans-

forming the character of the native workmanship and A.D. 1066 economic institutions. While the probable social and moral effects of this sudden revolution are most difficult to forecast, there can be no doubt of the extraordinary way *Economic gain.* in which the country has been opened up and its resources have been developed. English fashions and furniture are preferred by enlightened rulers, and buildings for the English officials and their native imitators are rising in every station and in many cities. All this has some analogy with the time when the Normans flocked here and the great period of church building began; there has been so much rebuilding *The era of church building.* at different times, so much destruction at others, that it is difficult for us to form any conception of the actual amount of masons' work that was accomplished under the Normans and early Plantagenets; the abbeys and cathedrals which were erected then may be counted by tens, and the parish churches by thousands. Anyone who will take a single county and look for evidences of Norman, Transitional and Early-English work may easily convince himself with his own eyes that this is no exaggeration. And as we instinctively feel that activity in the erection of new buildings is a sure sign of the prosperity of a town or village now, we may infer that an age when so many admirable stone buildings were completed, for civil and military as well as for ecclesiastical purposes, in so many different places, was on the whole a time of general prosperity.

57. The foreign influence was also effective in forming *Moral sentiments.* new moral sentiments; the field was well prepared for their growth, for human nature could not be strictly tied down within the limits prescribed by the feudal system; and when the obligations of vassals were wrongfully strained by Rufus or later kings, who took full advantage of their irresponsibility, all that was best in human nature was set in antagonism to the social system. The force of reaction gave scope for the religious and the adventurous spirits of the time; but both *Repression of private warfare.* had grown to be considerable powers in continental lands, and especially in France. In that land the royal power had not hitherto made itself effectively felt; anarchy like that of Stephen's reign was the normal condition of affairs, since

A.D. 1066 —1272. *The king's peace.* private war between the barons never ceased. The king's peace was not respected, and there were no royal tribunals to punish breaches of it; whatever security was gained for the husbandman and the plough, for the weak and unprotected, was gained by the struggle of the Church to maintain the peace of God<sup>1</sup>. In so far as the warfare of the barons was kept within limits, it was through the establishment of the truce of God on several days in each week, and many weeks in each year. In France these ecclesiastical customs declined, when, with the growth of the regal power, and other means for attaining the same ends, the need of them was no longer felt; for precisely similar reasons they had never been required in England. The religious spirit was not called on to create means for controlling the barons in our land; it was called on however to protest against the conduct of the kings. This gives an abiding interest to the career of S. Anselm; he made a protest against the practice of treating all offices as possessions held of the king on the king's terms; he felt that he had a greater responsibility than that of satisfying the king; and his struggle about the symbol of investiture was a declaration that such duties as his must be discharged with reference to right, not in mere accordance with his contract with a king.

*Ecclesiastical jurisdiction.* Yet after all, this earnest feeling had not sufficient force to bring about any marked step in social advance; the severance of the ecclesiastical and civil courts, as well as the attempt to enforce the rules of Christian jurisprudence by clerical judges and ecclesiastical sanctions, was on the whole a failure; the effectiveness of the courts was destroyed by the intrusion of archdeacons, and the expense of appeals to Rome. There was no important social change in England itself which can be directly ascribed to the new spiritual earnestness in the English Church; for our purpose it may be regarded as a mere sentiment which scarcely led to any positive result, unless when, combined with other factors, it served as an additional incentive. It was also weakened by the English jealousy of foreign interference, and by the corruptions of the rulers who had most power in the

<sup>1</sup> Semichon, *La paix et la trêve de Dieu*, L. 36.

matter; for the papacy, instead of rising to its opportunities, A.D. 1066 was being dragged down to the level of the secular policy of —1272. *Papal corruption.* the day. Realms were treated as fiefs which the pope granted to kings on definite terms; there was no fundamental difference between the grant of Ireland to Henry II. on condition A.D. 1154. of paying Peter's pence<sup>1</sup>, and any similar grant from a king to a lay-baron, though the precise terms of these contracts were dissimilar. But it was by the course of papal policy during the reign of king John that the distrust of the Roman court as a fountain of justice came to be most strongly felt in England. People had hoped to find that the papal policy would be based on a high standard of right, while it seemed to be shaped merely by the desire of aggrandising the Roman see and of enriching foreign ecclesiastics. Though the direct and immediate influence of the reinvigorated Church life in England was thus small, we need not forget that its indirect results were enormous; the freedom from royal caprice which was secured to the Church and her possessions was extended to one district after another; while the lay public opinion, which was formed partly under its guidance and partly by practical experience, and which expressed itself in local customs and gild laws, was permeated throughout by Christian feeling.

It has been already noted that in the ordinary routine of *Spirit of adventure.* life in feudal times there was little scope for individual enterprise of any kind; and hence, from the very force of reaction, there was a ready welcome for projects which offered it an outlet. On the Continent schemes were found which gave this sentiment shape. The lofty ideal of S. Bernard, and the enthusiasm for the rescue of the Holy Sepulchre from the infidels which his eloquence aroused, fully met the longing of the barons and knights for some sphere of independent action. Whatever the horrors and the follies of the Crusades may have *The Crusades.* been, they afforded a nobler outlet for human energy than had been found in the constant private warfare which was being slowly extinguished by the Church, through the truce of God, and with the growth of royal power. The spirit of adventure and daring found a new outlet; and terrible as were the cruel-

<sup>1</sup> Rymer, *Fœdera*, I. 19.

A.D. 1066 — 1272. ties perpetrated in the name of Christianity, the spirit of adventure was consecrated by being devoted to a less selfish end. This was obviously the case even in Europe itself; the sense of the devotion of bodily powers to a holy purpose raised the whole tone of military life, and took a place in society in the chivalrous orders.

A.D. 1095. The same spirit of adventure which moved the nobles showed itself as strongly in the sadder story of the multitudes of peasants<sup>1</sup> who set forth on a pilgrimage to the Holy Land. With no conception of the length or difficulties of the journey, with vague ideas of Old Testament plenty and New Testament glories at Jerusalem, they started by thousands, each family in their bullock cart, leaving all the means of industry behind; it was like the rush to the gold fields in modern times, but undertaken with far denser ignorance and under a more blinding glamour. Yet powerfully though this feeling worked, it was but a barren sentiment after all, since it failed in attaining its direct objects, and the institutions which it created, in the knightly orders, had but little permanent social value. The fruitless adventures of the Crusaders are chiefly interesting to us because of the way in which they prepared new channels for commerce, and re-acted indirectly on social life at home.

## II. ROYAL REVENUES.

*Norman Revenue.* 58. The potent royal influence, to which attention has been directed above, was habitually brought to bear on industrial and commercial life in connexion with the collection of revenue. The great surveys, which give us the fullest information about the condition of society, were due to a desire to estimate the yield which might be expected from the chief sources of taxation; and many of the steps which opened up the way for future progress were taken from a desire to simplify the collection of dues or to draw on new sources for obtaining a revenue.

<sup>1</sup> Michaud, *Crusades*, I. 59.

i. The royal domain was the chief source of regular royal <sup>A.D. 1066</sup> <sub>—1272.</sub> revenue ; in these reigns it was partly in forest, but a very <sup>Domain</sup> large amount was used for agriculture and yielded large rents (*gafol* or *gabhum*)<sup>1</sup>, so that the king was able to 'live of his own,' and defray all the ordinary expenses of state out of the crown estates. The revenue was drawn from the whole of England, and a portion of it was paid in kind till the time of Henry I.<sup>2</sup>) Indeed at a later date the constant journeys of Henry II.<sup>3</sup>, whatever may have been their object, would at all events be facilitated by the store of provisions which the king could count on at his various estates ; he was not indeed, as we shall see below, forced to rely on this expedient, but it may have been a help. The collection of this revenue was in the hands of the shire-reeve ; William the Conqueror <sup>farmed by the sheriffs.</sup> "sold out his lands as dear as dearest he might, and then some other man came and bid more than the first, and the king granted them to him who offered the larger sum ; then came a third and bid yet more, and the king made over the lands to him who offered most of all ; and he cared not how iniquitously his sheriffs extorted money from the miserable people, nor how many unlawful things they did<sup>4</sup>".

ii. The profits which arose in connexion with the exercise <sup>Jurisdiction.</sup> of royal jurisdiction were another source of regular income. Murders and other infractions of the king's peace rendered the district liable to a heavy payment ; and the following up of accusations, without too strict regard to the weight of the charge, was a method which William appears to have employed for obtaining funds for his Norman campaign in 1086<sup>5</sup>.

iii. The third source of regular income lay in the king's rights over his subjects and their property,—such as are acknowledged in the primitive gifts offered to a chief<sup>6</sup>. The king's claims were paramount and therefore he had the prerogative of pre-emption when the goods of the subject <sup>Pre-emption.</sup> were needed for his use. On their frequent journeys the kings employed purveyors, who provided the necessary

<sup>1</sup> Round in *Domesday Studies*, 182.

<sup>2</sup> *Dialogus de Scaccario*, i. vii.

<sup>3</sup> Eton, *Court of Henry II.*

<sup>4</sup> *English Chronicle*, 1087 (Bohn).

<sup>5</sup> *English Chronicle*, 1086.

<sup>6</sup> Stubbe, *Constitutional History*, i. 280.

**A.D. 1066** supplies. This right of forced purchase of the goods of —1272. subjects, who had no sufficient means of recovering payment from the royal purveyors, must have given rise to great oppression. We cannot wonder at the frequent complaints of their exorbitant demands, and should not underrate the importance of the heavy burdens of *hospitium*<sup>1</sup> and *avera* and *inward*<sup>2</sup> which fell on all land not specially exempted. The same right of pre-emption when exercised on wares intended for sale, or right of *prise*, seems to have been the foundation of all the tolls which were charged at ports or fairs or markets on imported or exported goods<sup>3</sup>; these were originally levied in kind, and this practice survived in the *prisage*<sup>4</sup> of wine and in special cases connected with wool; but it was gradually commuted for payments in money, or was at any rate defined as a fixed quantity—as a tun before and one abaft the mast<sup>5</sup>. At the time when Edward I. came to the throne the royal officers were no longer able to mulct the dealers at discretion.

*Feudal incidents.*

*Aids.*

iv. Besides these regular sources of income there were other payments which were made on special occasions, and which may be included under the head of feudal incidents. After the Conquest the feudal relation was not perhaps more real, but it certainly was more explicit, and could therefore be taken advantage of for purposes of taxation with greater ease. For each five hides of the large quantity of land held by what had come to be military tenure, the demand might be made of a knight's service for forty days in the year; and this was required not only for defensive purposes, but for foreign wars as well. Occasional aids (*auxilia*) were also asked for the knighting of the king's eldest son, the marrying of his eldest daughter, or the ransoming of his person.

<sup>1</sup> The precise meaning of *firma unius noctis*, which is constantly mentioned as the amount due for *hospitium*, is not clear. Archdeacon Hale calculates that as a matter of fact the court consumed 150*l.* in Oxfordshire in three nights. *Domesday of S. Paul*, p. xl.

<sup>2</sup> Wainage and attendance on the sheriff.

<sup>3</sup> Hall, *Customs*, i. 62.

<sup>4</sup> Right to one or more casks in each vessel.

<sup>5</sup> Hall, *Customs*, ii. 96.

v. There was one source of income which must not be overlooked, more especially as it is not heard of before the Conquest. The Jews appear to have been introduced into *The Jews*. England in the eleventh century, and they lived as mere chattels enjoying the king's protection, but subject to constant exactions from him; they had no status of their own but continued to exist as a part of the king's possessions themselves, and all that they had was not their own but his. In this lay their security from popular violence<sup>1</sup>; but it was a security for which they had to pay dearly<sup>2</sup>. Their transactions were all registered in the Exchequer; debts due to them were really due to the king; and they might not accept compositions for payment, or grant a secret release<sup>3</sup>. As a matter of fact therefore, the king had, indirectly, a monopoly of the money-lending in the country; so that the expulsion of the Jews by Edward I. was a permanent loss of revenue to *A.D. 1290.* the crown. The Jews gained usurious interest; the king by general fines, by fines for law proceedings, or by punishments for crimes,—even without proceeding to the grosser extortions which were practised by John,—replenished his own treasury out of the gains of men whose lives and property were in his absolute control, and whom he could mortgage, like other possessions, if it suited his purpose<sup>4</sup>.

vi. These sources of revenue were all payments made to *Danegeld*. the king as a great landowner, or by men who stood in definite personal relations to him; the contributions for public purposes were of a different character. The one which William found partially organised when he came to the

<sup>1</sup> "Letters patent tested the 3rd of April, were issued, setting forth the injuries the Jews had lately received in the disturbances throughout England, and commanding the bailiffs and good men of Cambridge to make public proclamation throughout the town, that no one under peril of life and members should damage, molest or aggrieve the Jews, their lands, property, houses, possessions and goods, both within the town and without as much as they could." Cooper, *Annals of Cambridge*, 1266.

<sup>2</sup> By a writ tested the 14th of May the king constituted Isaac the son of Samuel, and other Jews, together with the sheriff of the county, commissioners for distraining the Jews of the town of Cambridge for the proportion of a tallage of 20,000 marks; and a writ of assistance of concurrent date was directed to the sheriff. The commissioners had power to seize the wives and children of the parties charged with this tallage. *Ibid.* 1241.

<sup>3</sup> Compare Madox's interesting chapter on Judaism. *Exchequer*, c. vii.

<sup>4</sup> On the social position of the Jews see below, p. 187.

A.D. 1066 —1272. throne was the *Danegeld*. / First imposed in *Æthelred*'s time, Edward had continued to collect it, but some land was entirely exempt, and other estates were very favourably rated. William took it at a treble rate in 1084 (6s. instead of 2s. per hide<sup>1</sup>); and though in the time of the first Norman king these were occasional not annual payments<sup>2</sup>, they were regularly exacted by Stephen<sup>3</sup>; subsequently, the name fell into disuse<sup>4</sup>, but the crown continued to receive payments as *carucage*<sup>5</sup> and as the *ferm* of the towns<sup>6</sup>. /

*Tallages.* This heading includes another form of tax which was levied upon the towns which grew up on royal domains. This consisted of the *tallages* which were taken from the tenants on ancient domain when the king was in special need; they appear to have originated in contributions from places which were not liable to the payment of *Danegeld*<sup>7</sup>, but they were afterwards used as a means of supplementing the *scutage* which was paid by the knights, and of levying something from the "freeholders and towns<sup>8</sup>."

*Taxes on moveables.* A.D. 1181. vii. With the exception of the rights of purveyance and of taking customs, these taxes all fell upon the owners of real property. Henry II. took the important step of taxing moveables. An inquest had been held in connexion with the *Assize of Arms*<sup>9</sup>, in order to find out how far each citizen was able to provide himself with the armour necessary for serving in the *fyrd*. The contributions made in the parish churches towards the expenses of the First Crusade had been voluntary, but those who paid insufficiently for the *Saladin Tithe* were liable to be assessed by their neighbours on oath<sup>10</sup>.

<sup>1</sup> *Domesday Studies*, 82, 97.

<sup>2</sup> *Dialogus de Scaccario*, i. xi.

<sup>3</sup> *Madox, Exchequer*, xvii. 1.

<sup>4</sup> *Stubbs, Constitutional History*, i. 582.

<sup>5</sup> Payment per plough-land.

<sup>6</sup> *Ferm* means rent (*Madox, Firma Buryi*, 8). *Fee-Farm* or *feudi firma*, perpetual rent, paid by a man and his heirs, townsmen and their heirs, or by a corporate body (*Ibid.* 4). "The yearly *ferme* of towns arose out of certain *locata* or demised things that yielded issues or profits<sup>11</sup>. The ordinary issues of towns were commonly in value more than sufficient to make up the yearly *ferme*. But if perchance those issues fell short<sup>12</sup>, then the *ferme* was to be raised among the townsmen by collection or contribution. And they who were bound to contribute to these and such like forestations and payments were said to be *in lotto*, or *ad geldum et scotum*" (*Ibid.* 251). The issues of towns "consisted of diverse things according to the situation and production of the town," as rents of assize, pleas, perquisites, fairs, markets, stallage, &c.

<sup>7</sup> *Dowell, History of Taxation*, i. 41.

<sup>8</sup> *Stubbs, Constitutional History*, i. 585.

<sup>9</sup> *Stubbs, Select Charters*, 154.

<sup>10</sup> *Dowell, History of Taxation*, i. 46.

The first tax on moveables therefore was of a semi-<sup>A.D. 1066</sup> ecclesiastical character and for an expedition which had <sup>A.D. 1272</sup> papal sanction; but it laid the foundations for a regular system which continued during the reigns of Richard, John and Henry III. There are frequent demands for fractional parts of the possessions of subjects, sometimes a thirteenth, sometimes a fifteenth, sometimes a thirtieth, sometimes a fortieth, once a fourth. These demands, however, were subject to exemptions of various kinds; arms and other possessions required for public service<sup>1</sup>, and the necessary articles <sup>A.D. 1225</sup> of attire for different classes, are excluded in some cases, while in others the poor are exempt; though Edward I. in his first Parliament obtained a fifteenth when the people were <sup>A.D. 1275</sup> assessed "inauditio more ad unguem." It is perhaps necessary to add that these taxes were rarely levied on the whole realm simultaneously. One year a *carucage* would be taken from the country generally; another a *scutage* would be levied on the knights and *tallages* of other tenants; another there would be a grant of a fraction of moveables; but even this would not be a general tax, it would fall on some class; perhaps on the clergy, or on the religious orders<sup>2</sup>, perhaps <sup>A.D. 1227</sup> on the laity<sup>3</sup>; at all events we may see that the system <sup>A.D. 1209</sup> of taxation consisted in making occasional demands from particular classes in turn, and not in levying equivalent shares from all simultaneously. We can easily understand that under the circumstances it was of the first importance for men to have a voice in the assessments that were made; and that it was most necessary to prove clearly who were

<sup>1</sup> Bymer, *Fœdera*, i. 177. Exceptis tamen ab hac quinta decima quantum ad archiepiscopos, episcopos, abbates, priores et cæteros viros religionis, comites, barones, milites et liberos homines qui non sunt mercatores, omnimodis libris suis; et ornamentis ecclesiistarum et capellarum; et equis ad equitandum; et equis caectariis et summarriis, et armis omnimodis, jocalibus, vasis, uten silibus, lardariis, cellariis et fenis; et exceptis bladis ad warnistram castrorum emptis.

Exceptis etiam ab hac quinta decima quantum ad mercatores, qui de omnibus mercandisiis et mobilibus suis quintam decimam dabunt, armis ad quæ jurati sunt, et equis suis ad equitandum, et utensilibus domorum suarum, callariis et lardariis ad victum suum.

Exceptis etiam quantum ad villanos armis ad quæ jurati sunt, et utensilibus suis, carne et pisce, et potu suo quæ non sunt ad vendendum, et fenis suis et furragio suo quæ non sunt ad vendendum.

<sup>2</sup> Dowell, i. 72.

<sup>3</sup> Dowell, i. 69.

A.D. 1066 —1272. tenants of ancient domain and liable to contributions from which others were exempt, or liable to contributions at a different rate.

*Changes in the basis.* The whole taxation, with the exception of the customs, was direct, but there were continual changes in the basis of rating; first we have *hidage*<sup>1</sup>; then we have *carucage* on cultivated land, *scutage* on the knight's fee, and *tallages* from tenants on domain; but for these the more convenient, and also more onerous, estimates of moveables were eventually substituted. Still taxation of moveables continued for some time to be occasional and sectional; the king still lived of his own, and taxes were levied for particular emergencies and from a particular class of the community on each occasion.

*The currency.* 59. The royal revenue could not be properly collected unless coins were in circulation in which it might be paid; and the business of the moneyers and organisation of the mint required frequent royal attention. The coming of the Normans did not make any radical change in the coinage of the country<sup>2</sup>, except perhaps by the general introduction of a shilling worth twelve-pence. The weight of the penny was still thirty-two good wheat grains, and the standard of fineness was kept up for centuries, viz. eleven ounces two pennyweights of silver fine, and eighteen pennyweights of alloy<sup>3</sup>. The means of coining were very rude, and there is consequently considerable variation in the size and weight of coins as they are now found, even in the best preservation; one die was wedged into a wooden block, the other held in the hand as a puncheon, and the metal stamped by repeated hammering<sup>4</sup>.

*The mint.* The constitution of the mint became more definite after the reign of Stephen<sup>5</sup>, when the royal prerogative in this matter was more strictly maintained; there was perhaps less

<sup>1</sup> See above, p. 120.

<sup>2</sup> Charter of Henry I., c. 5. Stubbs, *Select Charters*, 101.

<sup>3</sup> Ruding, *Annals of Coinage*, i. 10.

<sup>4</sup> Ibid. i. 67.

<sup>5</sup> His coins are sometimes 'barbarously uncouth' in design, and were also ill-struck. (Ruding, i. 168.) On the whole the coins were better struck before the Conquest, when a collar was used, than afterwards; the Norman coins were very irregular in shape, so that it was easy to clip them without immediate detection.

need for minting coins at distant places, as they would circulate more easily as trade increased. From the time of Henry II. minting was confined almost entirely to London. In pre-Norman and Roman times coining was at least occasionally conducted at a large number of towns, some of them places which have never been of marked importance<sup>1</sup>. The business was carried on by moneyers whose names generally appear on each coin along with the name of the place where it was minted; but this was by no means a sufficient protection against fraud, as the frequent laws on the subject<sup>2</sup> and the vigorous measures of Henry I.<sup>3</sup> sufficiently show. Early English laws insisted that the coining should take place in frequented places<sup>4</sup>—a precaution which perhaps survived in the public trial of the pyx. The fact seems to be that while there was so little intercommunication between different parts of the country, there was no facility for the general introduction of coinage unless it was minted in all sorts of places. When the court travelled through the land, and the king hoped to receive fines, or the ferm of different shires, great difficulty must have been felt if there was no coin to pay with; it was therefore necessary for the kings to have moneyers in these localities<sup>5</sup>. | Others too tried to claim a similar privilege; in the case of the Archbishop of Canterbury<sup>6</sup> and of some others it appears to have been admitted; but it was one of the royal prerogatives

<sup>1</sup> Ruding, op. cit. i. 142, 154. Compare a grant to the Abbot of Bury by the Confessor. Thorpe, *Dip. Ang.* p. 415.

<sup>2</sup> *Laws of Æthelstan*, i. 14; *Æthelred*, iii. 8, 16, iv. 5, 9; *Cnut*, 8.

<sup>3</sup> *English Chronicle*, 1125.

<sup>4</sup> *Laws of Æthelstan*, i. 14; of *Æthelred*, iii. 16.

<sup>5</sup> The customs regarding moneyers at Hereford were as follows: "Septem monetarii erant ibi. Unus ex his erat monetarius episcopi. Quando moneta renovatur dabit quisque eorum xviii solidos pro cunctis recipiendis. Et ex eo die quo redibant usque ad unum mensem dabit quisque eorum regi xx solidos, et similiter habebat episcopus de suo monetario xx solidos. Quando veniebat rex in civitatem quantum volebat denariorum faciebant ei monetarii de argento scilicet regis. Et hi vii habebant sacam et socham suam. Moriente aliquo regis monetario habebat rex xx solidos de relevamento. Quod si moreretur non diviso censu suo, rex habebat omnem censum." *Domesday*, i. 179 a, 1. This is suggestive of a privileged association such as existed from Roman times in some of the continental towns.

<sup>6</sup> Perhaps this may account for the part taken by Anselm along with the king in punishing the dishonest moneyers. Freeman, *Norman Conquest*, v. 159.

A.D. 1066 which the barons had grasped in Stephen's time, and which —1272. were wrested from them by Henry II.<sup>1</sup>.

*Exchange.* The royal rights over coinage took another development also. With the increase of foreign trade there must have been more need at every great mart for the presence of men who were skilled in the business of exchanging the coins of one country for those of another; the great variety in circulation even in one country where many people claimed the right of coining must have been considerable; and when foreign merchants arrived to make purchases, it was necessary to effect an exchange of their foreign coins for the coinage of the country. This was done by the moneymen; and was, naturally enough, part of the business of the mint, as the foreign silver was recoined for use in England. But as soon as the work of the mint was concentrated in London there came to be a class who made it their business to change coins current in one land for coins of other denominations, or perhaps of the same denomination but of other values, current in the land where the alien merchants lived. It was a craft involving much skill, and the earnings made by exercise of it were called *cambium minutum*. It is obvious, however, that this occupation gave very great opportunities for fraud, and it was desirable that it should be in the hands of public officials<sup>2</sup>.

*The Exchequer.* 60. The machinery for the collection of the revenue was carefully organised; and it is particularly interesting to note how closely the arrangements for managing the English finances approximated to the system in vogue in Normandy<sup>3</sup>. Richard, bishop of London, in his *Dialogus de Scaccario* gives a full account of the business of the Exchequer as it was organised in the time of Henry II., when it was a department of the king's court with an elaborate staff of officers.

Easter and Michaelmas were the two terms at which moneys were received; at Easter the sheriff made a payment on account of half the sum due in the course of the year; this was credited to him, and he received a tally as voucher.

<sup>1</sup> *Dialogus*, i. c. vii.

<sup>2</sup> On the official exchanges under Edward I. see below, p. 263.

<sup>3</sup> Madox, *Exchequer*, iv. §§ 4, 5.

At Michaelmas he had to render his accounts in due form; <sup>A.D. 1066</sup> ~~—1272~~. the business was carried on at an oblong table, which was divided into parallel columns running across it<sup>1</sup>, each one of which was used for a different sum,—£1000, £100, £20, £1, shillings, or pence. At one side sat the treasurer, and his clerks with their rolls; at the other the marshall, calculator and sergeants who received what was paid in by the sheriff. At one end was the chancellor and other high officials, at the other end the sheriff and his suite<sup>2</sup>. On the treasurer's side of the table were laid in the columns counters representing the amount due from the sheriff, and on the other side the calculator ranged the results of vouchers or moneys which the sheriff actually put in to discharge the debt. The first item taken was the sum which had been paid into the Exchequer at the previous Easter, and for this a tally was produced<sup>3</sup> (p. 152). Then followed the statement of the various sums for which the payment by the sheriff was allowed; these were fixed allowances, in alms, tithes, liveries, or lands, or special allowances, empowered by royal writ or other definite authority. The sheriff would then be required to pay in the balance, or he was credited with the surplus. A single example will illustrate the whole practice.

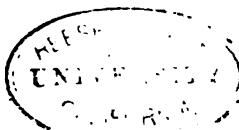
<sup>1</sup> The table was thus divided into parallel columns, not into squares; though it would have a checkered appearance when the counters were laid on it, there does not seem to be much reason for supposing that the cloth with which it was covered was checkered, as is commonly said in explaining the name. It is however so represented in the curious picture of the Irish Exchequer reproduced in Longman's *Edward III.*, i. 188.

<sup>2</sup> Mr Hubert Hall, *Pipe Roll Society*, III. Introductory, p. 41.

<sup>3</sup> "The tally was a slip of willow-wood, cut to a length proportioned to the magnitude of the pecuniary transaction it was intended to record. Its indications were rendered by notches, which signified various sums in progressive order, according to their size and shape.

"When fabricated the instrument assumed a form as in the accompanying specimen:—As will be seen from the engraving, a large notch of an inch and a half in width signified £1000; a smaller notch, one inch in width, signified £100; one of half an inch signified £20; a notch in the wood slanting to the right signified £10 (in combination this notch was placed before the £20 notch); small notches signified £1 each; a cut sloping to the right signified 10s. (in combination placed before the £1 marks); slight indentations, or jags, in the wood signified shillings; strokes with ink on tally signified pence; a round hole, or dot, signified a halfpenny: a farthing was written in figures.

"When split in two lengthwise across the notches each section of the tally, of course, corresponded exactly. One half was then delivered to the party paying





Exchequer Tally delivered to G. R. Minshull, Esq., on payment of £133. 1s. 4d. into the Exchequer for Land-Tax  
collected in Buckinghamshire in 1810.

Nicholas the son of Robert renders account of the ferm of Cambridge- A.D. 1066  
shire and Huntingdonshire<sup>1</sup>.  
—1272.

In the treasury £241. 5. 3 blank.

Ferm of  
Cambridge.

And for customary charity for the Knights Templars, 2 marks. And shire.  
for the canons of Huntingdon 40/-.

And for customary payments in Cambridgeshire: to Radolf of  
Munfort 30/5. And to Gervase the clerk 60/10 of the charity  
which was William's the son of Walter's by the King's letter.

And in Huntingdonshire to Alan Cornieins 30/5. And to the steward  
of the vineyard 60/10. And for the cost of the vineyard 20/- for this  
year.

And for lands granted<sup>2</sup> in Cambridgeshire to Roger of Sanford 40/- by  
tale in Bercheia. And to Peter Picot 100/- in Wilbraham. And to  
Richard of Clare and Henry of Kemeske £20 blank in Fordham.  
And to Esweillard of Seissuns £10 by tale in Cumberton. And in  
the Burgh of Cambridge £80 blank for which account is to be  
made separately. And to Hugh of Malalnet £15 by tale in  
Wilbraham by Letter of Ranulf de Glanville by the King's  
command: and to the same £7. 10 from the same income by a  
Letter of the same.

And for the cost of carrying the treasure of Galfrid bishop of Ely  
from Cambridge to London 25/6. And for the cost of bringing the  
same bishop's wine from Cambridge to Selveston 10/5. And for  
the payment of John.....and his horses and his birds 3/11.

And he is quit.

The burghers of Cambridge owe £80 blank of the ferm of the town  
of Cambridge for this year: and £180 blank for the four years  
past, and £30 blank for the half of the ferm of the year before  
that.

Total £270 blank which is £276. 15/- by tale, according to the  
combustion of vi denarii because<sup>3</sup> they had paid in the treasury.

money, as a receipt, and the other kept by the officers of the department, as a  
check or record of the transaction." Curiosities of Exchequers, *Ill. Lond. News*,  
1858.

<sup>1</sup> Pipe Roll of the first year of King Richard I.

<sup>2</sup> From lands granted the king would of course get no revenue, and therefore  
the sheriff had not to account for the same farm as was due before the grant.  
Most of these lands occur in the Terra Regis in *Domesday*. Compare Madox,  
*Exchequer*, xxiii. 2 (p. 650).

<sup>3</sup> Blanco, numero, combustio. Madox, *History of the Exchequer*, chap. ix. can  
give only "a conjectural explication of this matter." Combustion of money is  
certainly trial by fire or assay. On this occasion £270 blank is reckoned equal to  
£276. 15s. by tale, that is to say to £270 and 270 sixpences. Of course we should  
naturally expect to find mention of the assay and its result, not in the sentence  
which states the amount due, but in the sentences which state the sums paid by  
the burgesses: and we should expect to find mention of a separate assay for each  
sum paid. The clause "quia reddiderant in thesauro" is perhaps inserted to  
account for the misplacement of the mention of the assay; for as they had paid

A.D. 1066 —1272. The same burghers render account of the said debt. In the treasury £196. 7/10. by tale.

Remitted by Royal Letter to these burghers £80. 7/2 by tale, which they had paid in the treasury for holding their own town *in capite*<sup>1</sup> from the king: about which town the king has now done his pleasure.

And they are quit.

The same burghers render account of 4/2 for some trifling matters found in the new additions to the township of the same Burgh.

They have paid into the Treasury,

And are quit.

.....of Huntingdon render account for 40/- for their Gild

They have paid into the Treasury,

And are quit.

This formed the ferm of the shire, but the sheriff had still to render account of the value due from usurpations, and escheats to the Crown, of the tallage from Royal Demesne, including all lands of ancient demesne, as well as fines for murder or other breaches of the king's peace.

*Mode of payment.* The royal officers had not only to be careful about the accounts rendered but also to examine the money which was tendered in payment. Owing to the confusion as to coinage, it was necessary either to test the coins (*per combustionem*) that were paid by tale (*numero*), or to exact an additional sum of one-twentieth—as de-albating or blanching money—to cover all risks from this source (*blank*); and there were also two different systems of reckoning the weight, according as 6d. per pound was accepted to turn the scale (*ad scalam*), or according as the coins were actually weighed (*ad pensum*). It would however be a mistake to suppose that all these distinctions in regard to modes of payment were introduced by the Normans as we find several of them are noted in passages of *Domesday Book* where the customs under the Confessor are described.

all that was due, and paid it all in money of the same quality, it did not matter on which side of the account the assay was mentioned, nor whether there was one assay or more.

<sup>1</sup> As the king “did his pleasure about their town” they did not get this liberty, and the money they had paid was remitted to them by the king's letter or, in other words, placed to their credit.

## III. ROYAL INQUISITIONS.

61. When William of Normandy had succeeded in A.D. 1066 possessing himself of the English crown, and in settling his followers on the lands of those who had resisted him, or who had perished in the struggle, it became a matter of importance that he should know the precise resources on which he could count in this new dominion. He wished to know the condition of the royal estates which yielded him an annual revenue (*gafol, census*) as well as the wealth of the whole *Gafol* land from which he could levy the *Danegeld*<sup>1</sup>. With this *Geld* object he sent commissioners through the length and breadth of the land with instructions to take the sworn testimony of the sheriff, barons and freemen in each hundred (as well as of the priest, reeve, and six villans of each village) in regard to the various points of enquiry. Of the actual returns which were thus collected, one specimen has survived in its original form. The *Inquisitio Cantabrigiensis* gives us the names of the jurors in each hundred and it contains the lands arranged territorially, as they were visited. The scribes at Winchester who compiled the actual *Domesday Book* rearranged the information and grouped the lands according to the proprietors, who were ranged by their status from the king downwards. It appears that the commissioners reported on a number of details which were not regarded as sufficiently important to be embodied in the completed work. On the other hand it also appears that the sets of commissioners did their work in slightly different fashion, and that the compiling clerks were not always equally strict; for a vast mass of interesting detail has been preserved to us in the parts of *Domesday* which

<sup>1</sup> The royal lands rendered (*reddit*) certain payments either in coin or kind, while the estimated value of other estates (*valet*) is also given. In the entries of the royal land between the Ribble and Mersey there is a good case. *Omnis hæc terra geldabilis et xv maneria nihil reddebat nisi geldum regis Edwardi. Hoc manerium Darbei cum his supradictis hidis reddebat regi Edwardo de firma xxvi libras et duos solidos. Ex his iii hides erant libere, quarum censum pardonavit tenis qui eas tenebant.* *Domesday*, i. 269 b, 1. Here was royal land which paid the *Danegeld*, but from which the king did not receive any rent. The tenants were however obliged to do the necessary repairs on the manorial buildings.

A.D. 1066  
—1272. deal with Norfolk and Suffolk; similarly the accurate statements which have been preserved in regard to the size of holdings in Middlesex, and in Middlesex only, are invaluable. But despite these minor variations, the entries are on the whole of a similar type, and the ordinary characters of an English estate are revealed to us in the articles of enquiry; when we have examined them and taken a typical example of the information returned, we may go on to see what additional light can be obtained from the more detailed entries, which occur here and there.

*Articles of enquiry.* 62. The articles of enquiry are given in the transcript which the Ely monks preserved of those parts of the *Cambridgeshire Inquisition* which described their own lands. The commissioners were to note first the name of the manor, who held it in the time of King Edward (T. R. E.) and who held it at the time of the enquiry (*modo*). Next they were to report the rateable value of the estate (*quot hidæ*), and how it was stocked with teams (*carucæ*)<sup>1</sup> which were distinguished into the lord's teams (*quot in dominio*) and those of the villans (*quot hominibus*), also how it was stocked with men, whether *villani*, *cotarii*, or *servi*. They were next to note the freemen attached to the manor, whether *socmen* or *liberi homines*<sup>2</sup>; and then to make mention of the resources of the waste, and the meadow; what wood there was and what fisheries, as well as the mills. The value of the whole estate, with any depreciation or improvement, was to be given as

<sup>1</sup> One of the most common confusions in regard to *Domesday Book* has arisen from the fact that the same contraction *car* is used for *carucata* and *caruca*. *Carucata* occurs in certain counties as the unit of assessment in place of the *hida*. It is only from its position in the entry that the meaning of this contraction can be determined with certainty. The first *car* in any entry in these counties is probably a contraction for *carucata* and answers the question *quot hidæ*; the second and subsequent entries are probably contractions for *caruca*, and describe the stock on the land. This is quite clear in some of the Yorkshire entries where the two words are written out in full. In Picheringa sunt ad geldum xxxvii carucatae terre quas possunt arrare xx carucae. *Domesday*, i. 299 a, 2.

<sup>2</sup> This order is not carefully preserved: in Worcestershire the priest and the redbreast appear to be enumerated first among the human beings on the estate, though they did not render predial services; and the former tenant and the terms of his tenure come at the beginning of the entry. In dominio sunt ii carucae et presbyter et propositus et unus radchenistre et xii villani et vii bordarii. Inter omnes habent xliii carucae. Inter servos et ancillas sunt vii. Alvievecherche *Domesday*, i. 174 a, 2.

well as that of the holdings of the free men, and they were A.D. 1066 to be stated from the time before the Conquest, the time when the land was granted (*quando Rex Willielmus dedit, quando recepit*), and the time of the enquiry. They were also to see whether it could be estimated at a higher rate than had been the case before. We may look a little more closely at each point in turn.

Attention has been already directed to the meaning of *Assessment* the term *hida* in the Survey; it no longer gives a rough mode of estimating land, but a unit for expressing the rateable value at which the land was assessed for the Danegeld (*se defendebat pro, geldabat, in geldo*). From this some places had been excused<sup>1</sup>, while in other cases the owner was rated on specially favourable terms (*beneficial hidation*)<sup>2</sup>. On the whole the number of hides at which an estate was rated corresponds closely with the number of pounds which the estate was worth annually.

The enumeration of the teams which were required to *Cultivation* work the land was a simple method of indicating the amount

<sup>1</sup> Nadford. *Haec terra non geldat nec pergit ad hundredum, Domesday Book*, i. 175 a, 1. Bira. *Haec dux terre nec geldum nec aliud servitum reddiderunt regi*, i. 160 b, 1. Cauna. *Nunquam geldavit, ideo nescitur quot hidæ sunt ibi*, i. 64 b, 2, also (next entry) *nunquam hidata fuit*. Frome. *Nec scitur quot hidæ sunt ibi*, i. 86 b, 1. Round in *Domesday Studies*, 109, points out that the carucates of land in counties where the hide is the unit of assessment were not taxed, also that the lands designated 'inland' were free from Geld; compare Appleby (*Burton and Chartulary*, p. 30). The earlier meaning of inland was simply domain land. Thorpe, i. 263, 435. This variation in the connotation of the word is a useful warning against making use too readily of earlier or later documents to determine the precise sense of Domesday terms, e.g. *Villanus, Liber Homo*, &c.

<sup>2</sup> Chipeham pro decem hidis se defendebat tempore Regis Edwardi; sed quidam vicecomes misit eas ad quinque hidas per concessionem ejusdem regis, quia firma ejus eum gravabat, et modo se defendit pro quinque hidis. *Domesday*, i. 197 a, 2. Mr Round points out (in *Domesday Studies*, i. 110) that the four counties which first came under William's rule, Surrey, Sussex, Hampshire and Berkshire, were very leniently dealt with and had their rating greatly reduced. Several good illustrations occur in the archiepiscopal land in Sussex (i. 16 b, 1). Pageham had been rated at 50 hides in the time of King Edward, but was assessed under the Conqueror at 33 only. In the same time the worth had gone up from £40 to £60; it was actually paying £80, but this was too high. While the value had gone up, the rating had gone down; so too in Tangmere and Loventine. The exceedingly low hidation in Cornwall was not apparently due to a change made by the Conqueror: the low rate had ruled there all along. *Ipse comes tenet Liscarret. Merlesuain tenebat tempore Regis Edwardi et geldabat pro ii hidis. Ibi tamen sunt xii hidæ. Domesday*, i. 121 b, 1.

A.D. 1066  
—1272.  
Stock.

of cultivation that was carried on in any one place ; and the division into domain teams and villans' teams may have been a rough indication of the mode in which the work was organised, and of the proportion of land which the lord had in his own hands. In some cases the estate was insufficiently stocked with oxen<sup>1</sup>, as would be not unnaturally the case during the struggles consequent on the Norman invasion. This occurred not infrequently in Cambridgeshire, and a great part of Yorkshire had been so effectually harried that there was no stock remaining at all.

Tenants.

Very much greater difficulty attaches to the entries in regard to the men on the estates ; and the remarks which follow can only be regarded as a tentative explanation. From all we know of English Society there appears to have been a number of social grades, which were not however separated from each other by any impassable barrier. There were certainly many differences between the customs of one locality and those of another. In *Domesday Book* we have a rough system of classification which was meant to apply to the whole country ; it is obvious that the special peculiarities of status which were due to the history of one county, or the differences of obligation which were perpetuated in the customs of separate manors, could not be fully recognised in this brief summary. We cannot expect to find precise statements as to the status or obligations of different tenants<sup>2</sup>, but only a rough classification which should serve the fiscal purposes for which the enquiry was undertaken.

The manor  
as a fiscal  
unit.

Whatever the legal constitution of the manor may have been, it appears to have served the purpose of a fiscal unit<sup>3</sup>. The sheriff looked to the lord of the manor for the geld of his own estate and of the men who held of him ; the tie with some of the free tenants was very slight, as they could apparently break it at pleasure and sell their lands without

<sup>1</sup> *Hagelis, Domesday*, i. 177 a, 2. *Adhuc viii carucæ plus possunt esse*. Kelham, *Domesday Book Illustrated*, 861, quotes a case where it was overstocked. *Villani plus habent carucas quam arabilam terram*.

<sup>2</sup> An attempt was made after the Peasants' Revolt to use *Domesday Book* in this fashion, see below, p. 857, note 3.

<sup>3</sup> Maitland, *Selden Society, Select Pleas, Manorial*, i. xl.

leave asked or given<sup>1</sup>, but others could only do so on obtaining <sup>A.D. 1066</sup> <sub>1272</sub> licence from the lord; still the *socman*, *radman* and other free tenants appear to have been free proprietors or lessees<sup>2</sup> whose geld was included along with that of the manorial lord, and who were in a greater or less degree under his control. Mr Seebohm has shown that there was a much larger proportion of this class in the Danish counties than in other parts of England.

Of the servile tenants by far the most numerous and widely *villani* diffused class were the *villani*; from the Middlesex entries it appears that their holdings differed in size, and there are only a few incidental notices of services rendered by the men<sup>3</sup>;

<sup>1</sup> Though the free tenants were not restricted to the land they lived under different conditions, even in the same place (Meldred, *Domesday*, i. 202 a, 1), in regard to the terms on which they could sell; potuit recedere sine ejus licentia. (Soham, i. 195 b, 2.) Non potuit recedere sine licentia ejus, Haasingfelde, 194 b, 1; potuit dare vel vendere, socca vero domino remansit, Trepeslau, 197 a, 1. The fullest freedom is defined in the Worcester customs about the man who neglected the summons to service in the field. Si ita liber homo est ut habeat socam suam et sacam et cum terra sua possit ire quo voluerit, i. 172 a, 1. The exercise of proprietary rights more or less freely, appears to give the line which is drawn in *Domesday* between the free and the unfree. For *legal* purposes it was marked by the right to plead in certain courts, and by the subjection of the progeny to the lord, which was symbolised by the obligation to pay *merchet*.

The Worcestershire entries show clearly that the free tenants might be responsible for predial service. De hac terra (Longedune) tempore Regis Edwardi tenebant ix liberi homines xviii hidias et secabant uno die in pratis domini sui et faciebant servitium sic ut eis precipiebatur (i. 174 b, 1). So at Poiwic of the viii radmans habentes inter se x carucas et plures bordarios et servos cum vii carucis. Quod tenebant valebat c solidos. Ipsi radmans secabant una die in anno in pratis domini et omne servitium quod eis jubebatur faciebant (i. 174 b, 2). At Chemeseg Alricus eas tenebat etiam tempore regis Willielmi, et reddebat inde omnes consuetudines firmae sicuti reddebant antecessores sui excepto rustico opere sicut deprecati poterat a proposito, i. 172 b, 2. So the liberi homines of Leland between the Ribble and the Mersey like those of Salford non operabant per consuetudinem ad anlam domini neque metebant in Augusto. Tantummodo unam haiam in silva faciebant (i. 270 a, 1).

<sup>2</sup> In some of the Worcestershire entries the terms of the tenancy are stated. Land at Pershore was rented at una firma or twenty shillings for the man's own life and that of his wife, but was then to return to the Abbey. Other land was let for four lives, and the last heir held it at the time of the Survey. *Ibid.* 175 a, 2.

<sup>3</sup> The services are only noted incidentally. In Bricstelmestune x villani et x bordarii cum vi carucis et arant et seminant vi acras de proprio semine. So too in Depeforde; and in Aichintune vi coliberti reddunt per annum xi solidos et ii denarios et arant et seminant de proprio semine xii acras (*Domesday*, i. 174 b, 1). Kelham quotes a similar case, *Domesday Illus.* 361. The services noted are often those of men who were considered free. Derbei. Omnes isti taini habuerunt consuetudinem reddere ii oras denariorum de unaquaque carucata terra et faciebant per consuetudinem domos regis et quæ ibi pertinebant sic ut villani, et piscarias et

A.D. 1066 —1272. at the same time, it seems not unreasonable to identify this class with the men who are described under the same name in the *extenta* of later manors, who usually held a virgate of land, which was stocked for them, and who were bound to do week work, boon work and to make some occasional payments to the lord. Some of them had already attained the position of *gablatores*, who paid rent either in kind or coin in lieu of actual service ; and before the end of the fourteenth century such commutation had become comparatively common<sup>1</sup>. The villan may be taken as corresponding with the *gebur*, who is described in the *Rectitudines* as holding a yardland and owing similar services, in week work and boon work, to those which were exacted later from the *villanus*.

*Bordarius.* In the next place we have a class of tenants which is sometimes distinguished into two subvarieties—the *bordarius* and the *cotarius* ; generally we have one or the other specified but occasionally they both occur together<sup>2</sup> ; they appear for the most part to have had small holdings of four or five acres. We should be justified in all probability in identifying one or other of them with the *cotsetle* mentioned in the *Rectitudines*. The beeherds, swineherds and others enumerated in that document are apparently grouped together under the single heading of *servi* in *Domesday Book*.

*Servi.* *The omissions of Domesday.* It would be interesting if we could be sure that the enumeration of *Domesday* is complete, and that it gives an accurate statement of the able-bodied population. There is no reason however to believe that this is the case ; in one

in silva haivas et stabilituras ; et qui ad haec non ibat quando debebat ii solidos emendabat et postea ad opus veniebat et operabatur donec perfectum erat. Unusquisque eorum uno die in Augusto mittebat messores suos secare segetes regis, i. 269 b, 2. The men of Newton in Lancashire had the same liberties as those of Derby Hundred, et plus illis ii diebus in Augusto metebant in culturis regis, i. 269 b, 2. Again at Deerhurst in Gloucestershire. De terra hujus manerii tenebant radchenistri id est liberi homines tempore regis Edwardi qui tamen omnes ad opus domini arabant et herciabant, falcabant et metebant. *Domesday*, i. 166 a, 2.

<sup>1</sup> See below, pp. 219, 866.

<sup>2</sup> This is the case at Staines: the enumeration there given of the size of the holdings is instructive: Ad dominium pertinent xi hidæ et ibi sunt xiii carucæ. Villani habent xi carucas. Ibi iii villani quisque dimidiæ hidam et iiii villani de i hida et viii villani quisque de dimidio virgate et xxxvi bordarii de iii hidis et i villanus de i virgata et iiiii bordarii de xl acris et x bordarii quisque v acras, et v cotarii quisque de iiiii acris et viii bordarii de i virgata et iii cotarii de ix acris et xii servi et xlvi burgenses qui reddunt per annum xl solidos. *Domesday*, i. 128 a, 2.

instance where we can test it, the information furnished by *Domesday* is not exhaustive. There are only a few notices of parish priests or parish churches, yet there is every reason to believe that these ecclesiastical divisions date from a far earlier time; and no mention is made of some churches, like that of S. Benet in Cambridge, which were certainly standing. The clergy as a class are omitted from the reckoning, and we have no reason to believe that the enumeration of other classes is complete; if there was a class of 'free labourers' it is not clear under which heading they would have been included. It seems possible too that the reckoning is not so much of people as of personal responsibilities which might be discharged by more than one human being, as it is difficult to account for the phrase 'half a villan'<sup>1</sup> unless by some such supposition.

There is a great variety in the method of describing the *waste*. waste, and in the uses to which it was put<sup>2</sup>; it was important to note that there was pasture enough for the cattle<sup>3</sup>, and wood for repairing the temporary fences which kept them from straying into the growing corn<sup>4</sup>. In some cases, as in Yorkshire, the length and breadth of the waste is given; in Cambridgeshire it is rather estimated by the pannage for swine; hawking or hunting facilities are occasionally mentioned<sup>5</sup>; and great stress is laid on opportunities for fishing. We also find careful note of the other resources, in particular of the mills; it is not always clear what was the *manus* power which worked them, as in the case of the mill which endangered the ships in the harbour at Dover "per magnam turbationem maris". One very important industry

<sup>1</sup> Mr Pell refers to *Domesday Book*, Burewelle, 192 b, 2 and Grantesete, 196 a, 1, xliii villani et dimidium; iii villani et dimidium.

<sup>2</sup> The Bishop of Worcester's rights at Malvern are a good instance. *De hac habebat mel et venationem et quicquid exhibat et insuper x solidos. Modo est in foresta. Pannagium vero et ignem et domorum emendationem inde accipit episcopus. Domesday*, i. 173 a, 2.

<sup>3</sup> *Pastura ad pecuniam ville.*

<sup>4</sup> *Nexus ad sepes reficiendas.*

<sup>5</sup> *Sutona. Harum viginti bidarum omnes silvas habet comes in foresta sua positas. Unde maneria sunt multum pejorata. Haec foresta habet x leugas longitudine et iii leugas latitudine. Ibi sunt quatuor aires accipitrum. Domesday*, i. 268 b.

<sup>6</sup> *Domesday*, i. 1 a, 1.

A.D. 1066 was the manufacture of salt; the pits at Droitwich were much worked, and a large number of neighbouring proprietors had an interest in them<sup>1</sup>; curious details are also given in some of the Cheshire entries<sup>2</sup>. There is evidence that iron ore was worked at Rhyddlan in Flintshire<sup>3</sup> as well as in the neighbourhood of Gloucester<sup>4</sup>. Another set of profitable rights were those connected with markets<sup>5</sup>, which are mentioned not infrequently. On the other hand fairs are rarely<sup>6</sup> specified.

*Values, and their variations.* The last point noted in the entry is a statement of the sum of all these separate items; this is given by simply noting the annual value of the whole estate in terms of money for three distinct periods. We can thus see fairly well which estates had suffered most during the troubles connected with the Conquest; wherever the numbers of the tenantry had decreased, whether they paid in money or by their work, the annual value would decline. On the whole it appears that the lowest point was reached, generally speaking, at the time when the lands were granted by King William; many estates had recovered since that date, and some were in better condition than they had been in the time of the Confessor. The comparison of these annual values with the rating (*quot hidæ*) gives us the means of detecting the cases where the taxation was levied at favourable rates.

*Milton.* 63. Leaving the articles of enquiry we may now look at one or two particular entries; they give us illustrations of the points already discussed, but we can also glean from them a great deal of interesting information as to the way in which estates had changed hands at the Conquest.

In Middeltone ten Radulf<sup>7</sup> de Picot . xii. hid<sup>8</sup> . Tra . ē  
 VII . car . In dñio sunt . II . 7 aliz<sup>9</sup> . II . pos<sup>10</sup> . ee . Ibi x .  
 uitti cū XII . bord 7 IX . cot hñt . III . car . Ibi . v . ferui .  
 ptū III . car . Pafta ad pecun . De maresch . sexcent 7 L.

<sup>1</sup> *Domesday*, I. 172 a, 2.

<sup>2</sup> *Domesday*, I. 268 a, 1 and 2.

<sup>3</sup> *Domesday*, I. 269 a, 1.

<sup>4</sup> *Domesday*, I. 162 a, 1.

<sup>5</sup> Frome, I. 86 b, 1.

<sup>6</sup> Aspella in Suffolk, *Domesday*, II. 418.

anguill. 7 xii . den . In totis ualent uat . vii . lib . Qdo <sup>A.D. 1066</sup>  
 recep <sup>7</sup> viii . lib . T.R.E<sup>c</sup> xii . lib<sup>1</sup> . <sub>-1272.</sub>

" In Middleton Radolf holds twelve hides of Picot ; there is land for seven teams. On the domain there are two teams, and there could be two more. Ten villans with twelve bordars and nine cotters have three teams there. Five serfs are there. There is a meadow for four teams and pasture for the cattle. From the marsh 650 eels and twelve pence. The whole is worth seven pounds: when he received it eight pounds; in the time of King Edward twelve pounds"." The entry closes with an account of the previous tenants, one had been purveyor of the royal household; he had held six hides and three virgates of the Abbey of Ely, and he was not free to sell them nor to separate them from the church; through his death the land returned to the church of S. Etheldreda of Ely; four other socmen held four hides and half a virgate under the Abbey of Ely, but they were able to sell their land.

There is little here that calls for special remark; the domain at Milton was part of the Ely land, which the Abbey had got in exchange for another estate<sup>2</sup>, but the long resistance of Hereward from his 'Camp of Refuge' had given ample excuse for confiscation, and it now belonged to Picot the Sheriff: the four socmen, who each held a hide, had also suffered in the struggle, and if they survived, they were no

<sup>1</sup> *Domesday*, i. 201 b, 1. In Middeltone tenet Radulfus de Picoto xii hidias. Terra est vii carucis. In dominio sunt dues et aliae dues possunt esse. Ibi x villani cum xii bordariis et ix cotariis habent iii carucas. Ibi v servi. Pratum iii carucis. Pastura ad pecuniam. De marisca dcl anguillae et xii denarii. In totis valentius valet vii lib. Quando recepit viii lib. Tempore Regis Edwardi xii lib.

<sup>2</sup> From the *Liber Eliensis* we gather that the price of land was about £5 a hide in the tenth and eleventh centuries: in all probability this included the stock on the land: the team of eight oxen would be worth £1. The live-stock on the waste at Milton is given in the *Inquisitio Eliensis* and, from various incidental quotations of the prices of stock (Thorpe, *Ancient Laws*, i. pp. 139, 285, 357, 582; Hale, *S. Paul's*, p. xliv) we get the value of the stock as follows:

2 oxen unemployed	.	.	.	.	5	0	
220 sheep at 5d.	.	.	.	.	4	11	8
24 pigs at 8d.	.	.	.	.	16	0	
6 horses at 10s.	.	.	.	.	3	0	0
					<hr/>		
					28	12	8

<sup>3</sup> 240 acres in exchange for 277 at Fordham. *Liber Eliensis*, ii. 31.

A.D. 1066 longer in possession; it is not probable that they had —1272. exercised their powers of selling their land. It is just *Bordarius.* worthy of remark that here the *bordarii* and *cotarii* are mentioned together, and that they appear to have been sharers in the ownership of the village teams. This was not unusual for the *bordarius* even though he only held five acres, but it is less common in regard to the cottars.

*Soham.* We may next take a royal manor, that of Soham—

SAHAM Manerii regis . p . IX . hid 7 dim se defd . Tra .  
 ē . xiiii . carucis . Ibi suj . xvi . uitti . 7 xvi . bord cū .  
 xii . car . In dñio . II . car . 7 III . serui . 7 II . mold . xxviii .  
 sot . De piscar . III . mift 7 v . anguill . Ptū xiii . car .  
 Pastura ad pecun uillæ . Ibi . vii . piscatores reddentes regi  
 p̄sentation̄ pisciū ter in anno secundum qd possuN . In totis  
 ualentijs reddit p annū . xxv . lib arsas 7 pensatas . 7 xiii . lib  
 7 viii . sot 7 III . den ad numerū de albis denar . p frumto .  
 brasio . melle 7 alijs minutis c̄suetudinib; . T.R.E<sup>r</sup> reddebat .  
 xxv . lib ad numerū . 7 p . III . dies firmā de frumto .  
 melle 7 brasio . 7 de alijs <sup>7 omib;</sup> Hoc (ñ) habuit rex . E . semp in dñio<sup>1</sup>.

*Payments  
by weight  
and by tale.*

The seven fishermen reddentes regi presentationem pisciū ter in anno secundum quod possunt are of interest; but the careful definition of the method of payment is also good. Twenty-five pounds were to be tested and weighed; thirteen pounds and eight shillings was to be paid by tale, with an allowance of de-albating money for the defects of the coin; this payment was apparently a new composition for the petty

<sup>1</sup> Soham manerium regis pro ix hidis et dimidia se defendebat. Terra est xiv carucia. Ibi sunt xvi villani et xvi bordarii cum xii carucis. In dominio ii carucæ et iv servi et ii molendini xxiv solidorum. De piscariis iii milia et quingentæ anguille. Pratum xiii carucis. Pastura ad pecuniam ville. Ibi vii piscatores reddentes regi presentationem pisciū ter in anno secundum quod possunt. In totis valentijs reddit per annum xxv libras arsas et pensatas et xiii libras et viii solidos et iv denarios ad numerum de albis denariis pro frumento, brasio, melle et alijs minutis consuetudinibus. Tempore Regis Edwardi reddebat xxv libras ad numerum, et per iii dies firmam de frumento, melle et brasio et de alijs omnibus. Hoc manerium habuit rex Edwardus semper in dominio. *Domesday*, i. 169 a, 2.

customs on corn, malt and honey. This last article was A.D. 1066  
very greatly prized, as men had to rely almost entirely on  
honey and the honey comb, both for sweetening and for *Honey*.  
lighting. A very considerable number of towns paid a  
portion of their dues in honey<sup>1</sup>, though in several cases  
William appears to have preferred money payments.

64. The Survey seems to show that the little towns *The towns*;  
suffered more seriously than the merely rural districts during  
the struggle for the English Throne. It is said that the  
Danish elements in the population prolonged resistance more  
than others and this may have accounted for some of the  
opposition which developed in the north and called down  
such terrible vengeance; it may account too for the partial  
destruction of Exeter and Chester, of Lincoln and York.  
But the chief complaint was due to the clearances which  
William effected in order to obtain sites for the castles with  
which he finally quelled resistance. More than half the *partial de-  
struction*;  
houses had been destroyed in Barnstaple, Wareham and  
Dorchester; and in Cambridge, besides the smaller destruc-  
tion which had taken place in other wards, 28 houses had  
been pulled down in one ward to build a castle. The city of  
Shrewsbury was in a pitiable plight; not only was much of  
it destroyed, but the French burgesses<sup>2</sup> were exempted from  
the payment of burghal assessments, so that the sum which  
was formerly defrayed by the contributions of 252 house-  
holders was now levied on a miserable remnant of 59<sup>3</sup>.

It is also striking to notice the distribution of the more *distribu-  
tion*,  
important towns; the southern coasts were evidently of chief  
importance. Though London is not included in the Survey  
we can draw on other sources for some information regarding  
the chief city of the kingdom; it was assessed at 1200  
hides<sup>4</sup>, and its customs have been recorded in some detail.

<sup>1</sup> Compare the town of Warwick. In Edward's time reddebant lxx libras et  
xxxvi sextaria mellis aut xxiv libras et viii solidos pro omnibus que ad mel  
pertinebant, i. 268 a, 1.

<sup>2</sup> There were also French settlers in Gretford, i. 268 a, 1; in Snodesbury franci-  
gensis servientes, i. 174 b, 2. See also cases on Evesham lands, 176 b, 2.

<sup>3</sup> *Domesday*, i. 252 a, 1.

<sup>4</sup> *Hidagium comitatus totius Middlesex*. The Abbey of Westminster was  
rated at 118 hides; the county of Middlesex at 858½ hides, and paid £85. 0s. 6d. for  
Danegeld, while London paid £120. British Museum, Add. MSS. 14, 252, f. 127.

A.D. 1066 —1272 The city of York contained 1600 houses—even Norwich and Lincoln were smaller—and Chester was the centre of a large trade; this may have been to some extent with Dublin, but was also with Iceland.

*and constitution.* In the constitution of some of the towns we may find the germs of municipal government, especially among the Danish *lagemanni*; but in some of these cases the burgesses were still in a semi-servile condition. The townsmen were much engaged in tillage, for the Cambridge burgesses had to lend their teams nine times a year to the sheriff—formerly three times only; we may note that an important town was only a rural community, as was also the city of York, in part at least. The best description of the rights and duties which were enforced in a trading<sup>1</sup> centre is to be found in the account of Chester. The regulations for local police serve at all events to show the nature of the crimes which were most common; but there is curiously little mention of difficulties in the actual conduct of transactions, or of the security and status of foreign merchants.

*The  
Hundred  
Rolls.*

65. Besides the Domesday Survey, there was another royal inquisition which throws light upon this period. Not only are there interesting inventories<sup>2</sup>, which were got together for assessing taxes on moveables, but by a most fortunate coincidence we have a second and much more detailed record of the condition of many parts of England at the close of this period. We are thus able to get some

<sup>1</sup> The customs relating to foreign merchants are interesting and they show three separate jurisdictions in one city, the king, earl and bishop. *Si sine licentia regis ad portum civitatis naves venirent vel a portu recederent, de unoquoque homine qui navibus esset xl solidos habebunt rex et comes. Si contra pacem regis et super ejus prohibitionem navis advenirent tam ipsam quam homines cum omnibus qui ibi erant habebunt rex et comes.*

*Si vero cum pace et licentia regis venisset qui in ea erant quiete vendebant que habebant. Sed cum discederet iiiii denarios de unoquoque lesth habebunt rex et comes. Si habentibus martrinas pelles juberet propositus regis ut nulli venderent donec sibi prius ostensas compararet, qui hoc non observabat xl solidos emendabat.....Episcopus de Cestre habet in ipsa civitate has consuetudines.....Mercator superveniens in civitatem et trusellum deferens, si abeque licentia ministri episcopi dissolvet eum a nona hora sabbati usque ad diem lunis, aut in alio festo die, inde habet episcopus de forisfactura iiii solidos aut ii boves.*

*Domesday, i. 262 b, 1, and 263 a, 1.*

<sup>2</sup> *Rot. Parl. i. 228 a.*

data for estimating the growth which took place during A.D. 1066-1272 these two centuries. The precise object which the first Edward had in view in 1274 was somewhat different from that of the first William in 1087, as he wished to discover the real nature and extent of the traditional rights of the crown, and to detect the malversations of royal officers.

When Edward I. returned to England and assumed the Malversations of government he found that the royal rights had suffered most serious encroachments and that royal lands had been appropriated, to the very severe loss of the crown<sup>1</sup>. He therefore sent commissioners charged with enquiring into the royal lands and royal rights in each shire; an inquisition which was conducted in very much the same way as that of the Conqueror had been. Extracts from the inquisition then made, which have special reference to the usurpation of jurisdiction and other royal rights and possessions, exist for all the counties of England. The *Hundred Rolls* in their full shape unfortunately survive for seven counties only, but they contain a most extraordinary mass of information, very much more detailed than that which is given in *Domesday Book*; they afford us a most curious insight into the life of the time, and supply information bearing on the progress of the country since the earlier record had been compiled.

The articles of enquiry are very elaborate; they commence by investigating what manors the king had at the time or used to have in his own hands; there is then an enquiry as to the royal tenants in chief and as to losses by subinfeudation; then as to the free socmen on royal domain; then as to the ferm and other rents of each hundred or burgh, and of alienations; there next is an article about those who claimed to hold courts of wreckage, to have other royal rights or the assize of bread and ale; also about those who by the privileges granted to them interfered with the course of justice, and assumed or enlarged chases and warrens. Enquiries are made too as to the misdeeds of the royal officers, either in taking bribes and compounding

*Articles of enquiry.*

<sup>1</sup> *Annals of Winchester*, 119.

A.D. 1066—1272. crimes, or in fiscal exactions<sup>1</sup>; also in connexion with the repairs of royal castles and manors, escheats to the crown and such other matters.

*Export of wool.*

The articles, as stated at the commencement of the printed volume, are not quite complete; there were four or five other points on which enquiries were made and one of these yielded information that is of special economic interest<sup>2</sup>. It had reference to the export of wool to Flanders at the time when owing to the hostile relations between the king and the Countess<sup>3</sup> that trade had been prohibited or only carried on by special licence<sup>4</sup>. In regard to each of the alleged infractions of royal right, there is the reiterated question as to the warrant by which the man presumed to usurp crown property or regal privileges.

*Extra-ordinary detail.*

The commissioners appear to have executed the task most exhaustively, and to have carried back their enquiries as to proof of title for several generations. They also put on record in many cases very detailed statements of the precise position and obligations of the tenants on different estates. The object of the Domesday Survey had been to make such a financial estimate as to enable the king to reckon on the

<sup>1</sup> The bailiffs of the ports in King John's time took excessive custom; in cases where merchants sold a portion of their goods to get supply of victuals, they were only to be charged customs on the goods sold and not on the whole cargo. *Black Book of Admiralty*, i. 72.

<sup>2</sup> Item qui durante discordia inter dominum Regem et comitissam Flandrie fraudulenter contra inhibicionem vel defensionem. Domini Regis lanas duxerunt. *Rot. Hund.* ii. 245.

<sup>3</sup> Varenbergh, *Relations diplomatiques entre Flandre et l'Angleterre*, 184, 188.

<sup>4</sup> Respondent et dicunt quod durante discordia inter dominum Regem Anglie et comitissam Flandrie quod Gregorius de Bokeale, Stephanus de Cornhill, Thomas de Basingges, Nicholas de Wynton, Wolmarus de Estchep, Petrus Cosyn, Willielmus Box, Robertus de Araz, Ricardus de Araz, Ricardus de Abbingdon, Ricardus de Evere, Alanus ad Castrum Baynard, Robertus de Basingges, Ricardus Digon, Morekinus le Wolmongere, Lucas de Lukes et tota sua societas, Aldebrandus de Luca et tota sua societas, Rustikely et tota sua societas, Demteytus et tota sua societas, Hugo Pape et tota sua societas, Jacomimus de Leget et tota sua societas, Willielmus Lamy de Rothomago et multi alii tam de regno Anglie quam de aliis regnis quorum nomina et personas penitus ignorant contra inhibicionem domini Regis fecerunt cariare lanas ultra mare set quod sacco et quos portus omnino ignorant et quo warranto similiter ignorant. *Rot. Hund.* i. 405. From other entries it appears that the wool was mostly shipped either to Calais or S. Omer (i. p. 406). Wool grown in Northamptonshire was shipped to Rouen by Southampton (xi. 4). In some cases it was smuggled out, made up like parcels of cloth (i. p. 411), and in others it was packed in casks of wine (i. p. 414).

revenue he might expect as *gafol*, or the sums he might levy as *geld*; but in the *Hundred Rolls* the immediate object was to investigate the legal rights of the king, and of the tenantry. The mode of procedure was similar to that which the Conqueror had adopted; it can be followed step by step in the case of Lincolnshire. First in 1274 the commissioners were empowered to make their enquiries of sworn jurors, and they appear to have completed their task within the year. From the rolls thus furnished, extracts were compiled of those matters which demanded farther information, and *quo waranto* proceedings based upon them were instituted before the Justices in Eyre<sup>1</sup>. In the Lincolnshire and in the Gloucestershire Rolls, a brief note is appended of the results which were finally reached. Thus it was found that Norman Percy held a carucate of land at Fulletby in Lincolnshire which was part of the honor of Horncastle, and which had been alienated as long ago as the time of Henry I. It was worth five marcs annually. It was finally decided by a jury of twelve men that it was geldable land and that the king had *seisin* of it<sup>2</sup>. The abbot of Westminster was accused of very many encroachments<sup>3</sup>; he had extensive privileges but he had enlarged them in an unwarrantable fashion, to the prejudice of the king and the damage of his subjects, since the time of the battle of Evesham.

Though the enquiry had a legal rather than a directly financial bearing, it preserves details which throw an immense amount of light on every side of industrial and commercial life. It is possible to get a surprisingly detailed account of a portion of the English wool trade from these

<sup>1</sup> *Statute of Gloucester* (1278), preamble.

<sup>2</sup> *Rot. Hund.* 1. 308.

<sup>3</sup> Dicunt quod Abbas Westmonasterii habet et clamat habere returnum et extractas brevium et tenet placita de namio vetito, levavit etiam furcas in comitatu Middlesex. Habet etiam assisam panis et cerevisie videlicet returnum et extractas brevium et placita de namio vetito in omnibus maneriis suis in comitatu Middlesex. Assisam panis et cerevisie in villa de Stanes et apud Westmonasterium. Et apud Stanes mercatum levavit, etiam apud Tyborn quasdam furcas construxit, etiam quoddam molendinum aquatum in Thamisi in comitatu Middlesex impediens rectum cursum aque predicte in prejudicium corone domini Regis et ad maximum dampnum civitatis sue Londoni quo warento nesciunt et hiis usus est post bellum de Evesham. *Rot. Hund.* 1. 422.

*House-holders.* A.D. 1066 —1272. pages; the persons who were engaged in it both internally and as export merchants; the rates at which business was done, the ports of shipment, and so forth. It would be comparatively easy to construct a wonderfully complete directory for certain towns, with the names of each of the householders and a summary of his title<sup>1</sup>; and much curious information occurs as to the dilapidation<sup>2</sup> of bridges, and the encroachments of building in the streets. Again in many rural districts, the rights and responsibilities of the various classes of tenants are stated in detail. To some of these matters we may return, but for the present it is worth while to consider how far these accurate and detailed data enable us to estimate the progress that occurred during the two centuries which succeeded the Norman Conquest.

*Population.* If we hope to make accurate comparisons we shall for the most part be disappointed, we are so often baffled by the silence of *Domesday*. It cannot be doubted, however, that there was a very great increase in the population of the rural districts generally; the free tenants especially had increased enormously in some estates. At Milton<sup>3</sup> there were twenty-three free tenants, twenty-nine villans, and fifteen cottars, besides the rector and his half-dozen dependents; but the change is still more striking in the towns, for it is evident that they had not only increased in numbers but greatly changed in character. Many had become centres of dealing, and industry; they were filled with shops, and were

<sup>1</sup> Thirty-six closely-printed pages are devoted to details about Cambridge.

Item Lucia que fuit uxor Willielmi Toylet tenet unum messuagium in parochia Omnium Sanctorum juxta Ospitalem, quod emit de Willielmo de Sancto Edmundo, capellano, qui quidem Willielmus illud habuit de dono Roberti de Sancto Edmundo patris sui, qui quidem Robertus illud emit de Andrea de Wimpol, qui quidem Andreas illud habuit ex antiqua successione antecessorum suorum et inde reddit per annum Cancellario Universitatis Cantabrigensis iii s. et Hosptiali Sancti Johannis Cantabrigensis xii d. *Rot. Hund.* II. 890.

<sup>2</sup> Dicunt etiam quod cum pons Londonie fuisse multo tempore in manu civium civitatis et semper consueverint de communi assensu facere custodem ad communem proficium domini Regis et sue civitatis et omnium transeuncium, nunc est dictus pons in manu domine Regine, et nesciunt quo warento. Dicunt etiam quod idem pons est in magno periculo cadendi per defectum custodie quod est ad magnum periculum domini Regis et sue civitatis et omnes (sic) transeuncium. *Rot. Hund.* I. 406.

<sup>3</sup> *Rot. Hund.* II. 452.

no longer agricultural but industrial and commercial<sup>1</sup> A.D. 1066  
groups. —1272.

What is most curious about some of the towns is the *Dual control*. complicated system of government which still<sup>2</sup> obtained in them. In surviving difficulties as to the respective rights of University and Town we see something of the confusion which was caused when independent local rights and privileges were so numerous. In London each single ward had *Wards*. its own government; and the separate reports, which the commissioners collected from each ward, show how little administrative unity there was throughout the different parts of the city. It was still a congeries of distinct wards each belonging to a distinct 'baron,' and there were conflicting privileges and competing jurisdictions in many localities.

After all, a great deal of the trade of the country was carried on at occasional marts rather than at permanent centres, and we find a good deal of information in the *Hundred Rolls* about various fairs. This is a matter on *Fairs*. which *Domesday* is almost entirely silent<sup>3</sup>; and there can be but little doubt that many fairs had been founded since that time. In Cambridge there were four annual fairs, one belonging to the Prior of Barnwell, held for four days from the Vigil of S. John the Baptist<sup>4</sup>, and now surviving in A.D. 1211. Midsummer fair, for this he paid a mark of silver; another,

<sup>1</sup> This appears even in the depreciatory remarks which are put into the mouth of a French Jew; at Bristol there was no one but soapmakers, A.D. 1192. Richard of Devizes, *Chron.* § 81.

<sup>2</sup> In Norwich in the Confessor's time the king and earl had sac and soc and consuetudo over 288 burgesses, Stigand over 50 and Harold over 32. *Domesday*, II. 116.

<sup>3</sup> This silence is not of course absolutely conclusive nor do charters prove the date of the origin of a fair; fairs which were granted to particular persons may have existed before that time, either as mere usurpations, or in the king's own hands. So far as *Domesday* is concerned a fair might have existed, but if the king had not granted the tolls to any one, but kept them in his own hands, it would make no difference in the rating for the Geld and might possibly be omitted from the Record. The mention of Irish merchants visiting Cambridge with cloth (*Liber Eliensis*, II. 82) is at least suggestive of a fair there before the Conquest. On the other hand it is sometimes possible to trace the history of the origin of a fair; there can be no doubt that the fair at S. Ives did not originate before the discovery of the alleged relics in 1002, and the earliest grant is 1110 Maitland (*Selden Society, Select Pleas, Manorial*, I. 181).

<sup>4</sup> By grant from King John, *Rot. Hund.* II. 358.

A.D. 1066 which existed in the present century as Garlic fair, belonged  
 —1272. to the Prioress and nuns of S. Rhadegund, and lasted for two  
 A.D. 1150. days from the feast of the Assumption of the Virgin<sup>1</sup>; a  
 A.D. 1211. third, belonging to the Master of the Lepers' Hospital<sup>2</sup>, was  
 held on Holy Cross Vigil and Day, and survives in Stourbridge  
 fair<sup>3</sup>; the fourth belonged to the burgesses and was held on  
 the Rogation Days<sup>4</sup>. By far the greater part of the internal  
 commerce of the country was carried on at such fairs, as they  
 afforded the only opportunities which the inhabitants of  
 inland districts possessed of purchasing pepper and other  
 imported articles; while they gave the best opportunity for  
 bailiffs to lay in a store of those necessaries which they had  
 little facility for procuring in their own homes<sup>5</sup>. Stourbridge  
 Fair near Cambridge was the greatest of English fairs<sup>6</sup>; the  
 fens which cut off the north of England from the rich district  
 of East Anglia here came to an end, while the old Ickneild  
 road which had skirted the north of the great Hertfordshire  
 forest and connected Norwich with the south passed close by.  
 Cambridge was thus a natural emporium for trade, but it was  
 greatly favoured by the character of its river; this was a  
 natural canal along which goods would be easily brought  
 from the port of Lynn. It was here that Oxford colleges laid  
 in their stock of salted eels for use during Lent, and that  
 wool and woollen cloth were largely bought.

*Undue  
 extension  
 of fairs.*

A very vivid picture of the arrangements that were made  
 for the business of a fair is presented to us in the agreement  
 which was made between the Abbey of Lenton and the  
 burgesses of Nottingham about the year 1300<sup>7</sup>. The fair was  
 to be curtailed four days, in the interest of the local traders,  
 and there was to be no open market in the town during the

<sup>1</sup> By grant from King Stephen, *Hundred Rolls*, II. 359.

<sup>2</sup> By grant from King John, *Hundred Rolls*, II. 360.

<sup>3</sup> In the eighteenth century Stourbridge continued to be a most important  
 mart for all sorts of manufactured goods, as well as for horses, wool and hops.  
 Compare Daniel de Foe's most interesting account, *Tour* (1724), I. 91.

<sup>4</sup> *Hundred Rolls*, II. 391.

<sup>5</sup> Thorold Rogers, *Six Cent.* I. 146.

<sup>6</sup> From the point of view of the Londoner in 1189, Boston and Winchester  
 Fairs appear to have been more important; the Husting Court was not held, as  
 otherwise it would have conflicted with the business engagements of the citizens  
 at these marts. Turner, *Domestic Architecture*, I. 275. On Boston Fair see  
 Thompson, *Assoc. Arch. Soc.* II. 870.

<sup>7</sup> *Nottingham Records*, I. 61.

time the fair lasted. The size of the booths and the rents to A.D. 1066  
 be paid for them are specified; cloth-merchants, apothecaries  
 and mercers frequented it, as well as men who dealt in hides  
 and iron; and the terms of their rents and tolls, according as  
 they were members of the Nottingham gild, and had land in  
 the town or not, are explicitly stated. Merchants from distant  
 towns would meet at these fairs, and they offered the chief  
 opportunities for wholesale trade. Any disputes which arose  
 were expeditiously settled at the Courts of Piepowder and  
 generally according to Law Merchant<sup>1</sup>. The right to have  
 such a fair and to receive tolls from those who carried on the  
 merchandise was very lucrative; the owner of the fair was  
 tempted however to hold it for a longer period than that  
 which his grant assigned, and it was for this reason that fairs  
 were so carefully investigated by Edward's commissioners.

Taking these matters together we may say that an examination of the *Hundred Rolls* leaves on the mind an impression of most rapid growth during this period. The population both in rural districts and in towns had increased greatly, and there is ample evidence of a large foreign trade, and of great facilities for internal trade. At the same time, despite the mass of information which each record has preserved, we have not got the precise data which would be necessary in order to enable us to give an accurate statement about the actual growth in any single direction.

#### IV. FOREIGN INTERCOURSE.

66. By far the most important results of the Norman Conquest, so far as English Industry and Commerce were concerned, lay in the new communications which were opened up with other parts of the Continent—communications which have been frequently interrupted, but never completely suspended. This was partly due to the double position of the reigning monarch, as Duke of Normandy as well as King

<sup>1</sup> Maitland, *Selden Society, Select Pleas, Manorial*, i. 182. On the regulations of fairs in Flanders, compare Warnkönig, *Flandrische Staats- und Rechtsgeschichte*, i. 320, and App. No. 38. Very full information regarding those of Champagne will be found in the work of Bourquelot, *Mémoires présentés à l'Académie des Inscriptions*, II<sup>me</sup> Serie, v.

A.D. 1066 of England, for a close connexion was established between  
—1272. our country and the great northern duchy of France ; in the

early Plantagenet reigns by far the larger portion of the territories of the King of England were on the Continent.

*and  
influence  
on trade.* The constant intercommunication, which these close relations rendered necessary, must have given much more frequent opportunities for trade ; while the fact, that the lands on each side of the Channel belonged to the same ruler, made trading very much more secure, and therefore more profitable.

A.D. 1017. A similar impetus had been given by the connexions with Denmark and Scandinavia which were consolidated under Cnut, but they were of far less importance, for the Norsemen with all their skill and enterprise failed to establish a permanent and stable civilisation. Few things are more remarkable than the complete collapse of a power which had shown so much enterprise in planting industrial and trading settlements ; but there was a want of cohesion among the several parts, and the alternation of tyranny and anarchy seems to have been fatal to the commerce of the northern lands, while the suppression of piracy under Christian influence cut off a great field of enterprise.

A.D. 1170. Certainly the decline of northern power and commerce synchronises in a remarkable manner with the conversion of the Swedes and Norsemen. But in southern lands the decay of centuries had been completely arrested ; signs of progress were beginning to show themselves in the growth of new cities within the provinces of the old empire, and even beyond its limits at Hamburg and Bremen. Strassburg, Cologne and other German towns had risen into

A.D. 975. importance under the wise rule of Otho II. and the fostering care of Archbishops and Bishops<sup>1</sup> ; in the twelfth century they were beginning to secure independence from the control of the ecclesiastical potentates<sup>2</sup>. Amalfi, Pisa and other merchant cities of Italy were attaining wealth and magnificence, and those of Spain were forming a barrier against

A.D. 1020. <sup>1</sup> Gfrörer, *Papet Gregorius VII.*, vii. 2. Höhlbaum, *Hansisches Urkundenbuch*,  
i. No. 4, 5, 6.

<sup>2</sup> Schmoller, *Strassburgs Blüthe*, p. 14. Höhlbaum, *Hansisches Urkundenbuch*,  
i. No. 7.

the Moslem<sup>1</sup>; the communes of France were beginning to A.D. 1066 free themselves from the extortions of the barons<sup>2</sup>, and the towns of Flanders<sup>3</sup> and burghs of Scotland were attaining a high degree of prosperity<sup>4</sup>.

The existence of these towns is a sign of reviving commercial activity throughout Europe at this time; they supplied the necessary conditions without which regular trade could hardly be carried on at all. Unless in a town, or in a fair, the foreign merchant had not any sort of status and could not recover his debts; he was liable to be mulcted, not according to the Law Merchant which he understood, but by local customs which were unfamiliar. This was equally true whether his business took him to another country or only to another county. The Norwich merchant who visited London was as much of a foreigner there as the man from Bruges or Rouen. In the *Calendar* of fourteenth century letters sent officially from the city of London we find the same sort of communications sent to the Bailiff and Good Folk of Gloucester, as went to the Burgomasters and Echevins of Sluys<sup>5</sup>. Commerce almost necessarily concentrated itself where such legal facilities were available; and thus the towns, or communes, with their gilds merchant, were institutions without which trade could not be conducted, or at any rate not conducted on such a scale. Even in regard to the business done at fairs the municipality was an important factor; for it was through the municipality to which the merchant belonged that redress could be obtained in the case of any wrong done<sup>6</sup>.

*Consequent  
commercial  
revival.*

*Legal  
facilities.*

<sup>1</sup> Hallam, *View of State of Europe during the Middle Ages*, iv.

<sup>2</sup> Thierry, *Formation and Progress of the Tiers Etat*, ii. 1—101.

<sup>3</sup> Warnkönig, *Flandrische Staats- und Rechtsgeschichte*, i. 315.

<sup>4</sup> C. Innes, *Burgh Laws*, Pref. xxxv.

<sup>5</sup> The two entries referred to are consecutive; in the first the Gloucester authorities are asked to compel Thomas son of William Porter of Gloucester to pay a long standing debt of 100 shillings to Andrew Aubrey of London: in the next the Burgomasters are informed that John Pelegrym and William Crudener of Sluys had paid £3 18s. which was owing to John Bartelot Sharpe, *Calendar of Letters*, 57.

<sup>6</sup> Roll of S. Ives Fair printed by Prof. Maitland, *Select Pleas, Manorial*, i. 138. A most interesting correspondence is printed by Delpit (*Collection*, Nos. LXVIII. LXXI. and LXXI.). It arose out of a dispute between some horse-dealers at the fairs of Champagne and Brie in 1292. A Florentine resident in London was said to be in debt for horses bought but not paid for, and the custodes of the fair

A.D. 1066  
—1272.  
*Inter-  
municipal  
commerce.*

The commerce of the twelfth century then was municipal rather than national; internal trade was inter-municipal and so too was foreign trade. It grew rapidly because the king's peace and the peace of God, and the personal protection vouchsafed by foreign princes, gave some security for friendly intercourse. There was also one factor which gave a stimulus to trade throughout Europe, for the Crusades had this result, and their direct and indirect influence is observable in England as elsewhere. Still, apart from this fresh impulse, the kingdom gained not a little, by the mere fact that it had been drawn out of its isolation into closer connexion with continental lands.

*Immigration  
of  
artisans.  
Weavers.*

A.D. 1107.

67. There was, for one thing, a large immigration of artisans which began soon after the Conquest. A number of Flemings had been driven from their own land by an inundation, and they not unnaturally sought new homes in an island where a noble Flemish lady had gone to reign as Queen. She took them under her own personal protection, and they were scattered all through the kingdom, where however they did not succeed in getting on peaceably with the other subjects. King Henry I. contemplated expelling them from the realm, but finally assigned them a special district in Wales. There are still marked differences which distinguish the men of Tenby and Gower from their Celtic neighbours. Giraldus describes them as "gens Cambrensis inimicissima"; but adds "gens (inquam) lanificii<sup>1</sup>, gens mercimoniis usitatissima<sup>2</sup>." The position which these weavers and dealers had originally secured cannot have been satisfactory; Camden remarks that they were not enriched with lands, but taken under personal protection by the queen. So

wrote in 1300 to the Mayor and citizens of London. The Florentine produced a quittance duly signed, sealed and attested, but the custodes of the fair declared themselves dissatisfied and demanded that the goods of the Florentine should be distrained, and he himself arrested. This the Mayor refused to do without a mandate from the king, who was away in Scotland, as the Florentine and his friends were "de libertate civitatis Londoniensis." Apparently intermunicipal justice was slow, and not always sure.

<sup>1</sup> The linen manufacture of Ypres and Cambrai (*cambric*), though it probably existed at that time, was not planted in England till later. Madox, *Firma Burgi*, 197.

<sup>2</sup> Giraldus Cambrensis, *Iter Camb.* i. xi. See also Camden's note, p. 850, and Holinshed, *Chron.* 1107. Coarse woollen cloth is still there made at handlooms.

long as they were specially privileged they could not amalgamate readily with their neighbours; it was impossible to perpetuate the distinction for all time, and therefore it was necessary that they should either settle down as ordinary burghesses, or occupy a separate district by themselves.

A.D. 1066  
—1272.

We have specific information in regard to these Flemings, *Merchants*. but theirs was not the only, nor perhaps the most important migration. A chronicler tells us that a number of merchants followed in the wake of the Conqueror from Rouen and Caen. They preferred to dwell in London "inasmuch" as it was fitter for their trading and better stored with the merchandise in which they were wont to traffic."

Many monuments remain and give unimpeachable evidence of a large incursion of builders at all events. The few stone buildings which date from the time before the Conquest<sup>1</sup> are different both in style and workmanship from those which were erected in the twelfth century, but the twelfth century was a time of extraordinary activity in masons' work of every kind. There are numberless abbey churches<sup>2</sup> and cathedrals which still bear witness to the skill *Churches*. of the Norman builders; but they give but a small idea of the amount of work which was going on at that time. However it may have been altered since, the fabric of very many of the parish churches of England still supplies evidence that the present buildings were first erected in Norman times; possibly the churches before this date had been usually constructed of wood<sup>3</sup>; and the parishes throughout the length and breadth of England seem to have vied with each other in substituting new churches of stone. But besides these ecclesiastical edifices, many castles were reared. *Castles*. From Rochester to Carlisle<sup>4</sup>, from Hedingham to Ludlow the land was studded with huge fortresses. Both in design

<sup>1</sup> Quoted by Green, *Short History*, 88.

<sup>2</sup> Such are the churches of Deerhurst (Gloucestershire), Bradford (Wilts), Worth (Sussex), Dunham Magna (Norfolk), Stanton Lacy (Shropshire); also the towers of S. Benet's, Cambridge, S. Michael's, Oxford, Earl's Barton (Northants).

<sup>3</sup> One case occurs of contemporary church building in the Worcestershire *Domesday*, Brabfortune. *Ibi sunt boves ad unam carucam sed petram trahunt ad seccelgiam.* i. 175 b, 2.

<sup>4</sup> Like Greensted in Essex.

<sup>5</sup> M. Creighton (*Historic Towns*), *Carlisle*, 26.

A.D. 1066 and in detail the masonry of the time bears witness that it —1272. comes from the hands of the men who practised the arts as they were followed at Caen. When we consider the number of these buildings which are still standing, though with more or less of subsequent alteration, and the tedious labour that was required to erect them, we cannot but feel that a very large number of masons and builders must have come in with the Conqueror.

*The position of alien artisans in towns,* *Domesday Book* gives us ample evidence as to the existence of artisans of French or foreign birth. The case of Shrewsbury has been noted above<sup>1</sup>. Norwich had been much wasted, partly by the exactions of Earl Roger, partly by fires and partly by the pressure of the Danegeld, and many citizens had betaken themselves to Beccles. There had been French burgesses in the new town even in the time of the Confessor, but the number had greatly increased<sup>2</sup>. This brings clearly before us the fact that the immigration of foreigners had begun before the Conquest itself, in connexion perhaps with that fashion for Norman ways which characterised the Confessor's Court<sup>3</sup>. They were so far an important body that one of the so-called Laws of William defines their position; the Frenchmen who had been settled in England in the time of the Confessor were to be at scot and lot with the other inhabitants according to the law of England<sup>4</sup>.

*was exceptional:* From this we may perhaps infer that the artisans who settled in this country after the Conquest, were not at scot and lot with the other inhabitants<sup>5</sup>, but had an exceptional position such as was accorded to the Flemings by Queen Matilda. This may have been a specially favourable condition at first, but as the burgesses gradually secured an increased number of chartered privileges for themselves, the men of foreign extraction who were in the community, but not of it, would be placed at a disadvantage. This is reflected in the early laws regarding weavers in Winchester,

<sup>1</sup> See above, p. 165. Compare also the second and seventh wards of Cambridge. *Domesday*, i. 189 a, 1.

<sup>2</sup> *Domesday Book*, ii. 117, 118.

<sup>3</sup> Freeman, *Norman Conquest*, ii. 29.

<sup>4</sup> *Laws of William*, iii. 4, in Thorpe, *Ancient Laws*.

<sup>5</sup> Compare the statement as to the position of the English and French burgesses in Hereford. *Domesday*, i. 179 a, 1.

Marlborough, Oxford and Beverley, which are preserved in A.D. 1066  
 the *Liber Custumarum*<sup>1</sup>; the greatest precautions were  
 taken to prevent a weaver<sup>2</sup> obtaining the franchise of the  
 town and he had no standing in the courts as against a  
 freeman. The disabilities under which weavers laboured  
 cannot be accounted for by supposing that the richer  
 burgesses oppressed the artisan<sup>3</sup>, for at Winchester at all events <sup>circ.</sup>  
 there were burellars who were freemen<sup>4</sup>. But the whole <sup>A.D. 1350</sup>  
 becomes intelligible if we may assume that weaving, as a  
 regular craft, was introduced into England by foreign settlers  
 about the time of the Conquest<sup>5</sup>, and that the weavers in the  
 various towns were foreigners who were not at scot and lot  
 with the other inhabitants; their independent position gave  
 rise to jealousies and riots in the time of Henry I., and  
 would continue to do so in the case of those who had not  
 availed themselves of the opportunity, if it offered, of removing,  
 as other wool workers did, into the south-west of Wales.

<sup>1</sup> Rolls Series. *Munimenta Gildhalla*, II. 180, 131.

<sup>2</sup> The analogy of Aberdeen is instructive. There it appears from a charter granted by Alexander II. in 1222, that the weavers and dyers (waulkers) were already privileged, and were therefore excluded when the burgesses were allowed to leave their house. But the members of the gild merchant were not called on to abjure such crafts, in fact none might exercise them but the members of the gild who were at scot and lot with the other burgesses "with the exception of such as had hitherto their charter securing this privilege." Bain, *History of the Aberdeen Incorporated Trades*, 86.

<sup>3</sup> Prof. Ashley maintains (*Economic History*, 83) that the disabilities of the weavers were instances of oppression which artisans suffered at the hands of the rich. It is difficult to suppose that trade had so developed in all these towns as to allow of the formation of a class of wealthy merchants. It appears that in Newcastle (Stubbe, *Select Charters*, 112) the freemen did not disdain to be engaged in cloth manufacture. In Scotland, there are more signs of exclusiveness on the part of the gilds merchant, as both butchers and dyers, as well as some others, were excluded from the gild merchant if they laboured themselves at the business (*Burgh Laws of Scotland*, c. xciv. p. 46). This is parallel to the Belgian prohibition against admitting those 'with dirty hands' or 'blue nails' (Brentano, *Gilds*, E. E. T. S. cvii.). But on whatever ground the prohibition of one or two particular crafts was based, it must not be too readily strained into an objection to artisans as such.

<sup>4</sup> *English Gilds*, 351. *Archaeological Journal*, IX. 77.

<sup>5</sup> The reasons for this are the facts that wool was exported and cloth imported before the Conquest, and that weavers are not mentioned before that time so far as I have noticed. There might of course be a great deal of domestic weaving by women in households; this was the way in which the art was practised in the time of Charles (Gfrörer, *Gregorius VII.*, vii. 130); and there might be plenty of very artistic work, even though it was not a regular occupation by which men earned a living for themselves and their families.

A.D. 1066—1272. If this supposition be correct, it will go some way towards explaining the first beginning of craft gilds in England. *and organisation in craft gilds.* Frith gilds<sup>1</sup> were a native institution, and merchant gilds may have been so, in germ at any rate; though we do not find them in their fully organised form till Norman times<sup>2</sup>; but strangers who lived by the same trade and had common interests, while they suffered under similar disabilities, would be glad to associate themselves together; and no form of association was better adapted to their needs than that of which examples in all probability already existed at Paris and Rouen<sup>3</sup>. Some of these obtained royal sanction, and paid annually for their privileges, while others which had been informally established would have been fined by Henry II. in 1180<sup>4</sup>, when he amerced various gilds which were certainly composed of native Englishmen, like that of the burgesses of Totnes. At the same time it is important to notice that the permission to form such craft gilds, while it might give immunity to the foreign weavers, would not necessarily prove satisfactory to the burgesses, or allay the irritation between those who were at scot and lot<sup>5</sup>, and those who had no real status in the towns where they lived, but had direct relations with the crown through their gilds. In the time of Henry II. there were weavers' gilds under royal protection in

A.D. 1160. Nottingham, York, Oxford, Huntingdon and Winchester<sup>6</sup>.

<sup>1</sup> The king's peace was on the whole so effective in England that the frith gilda played a less important rôle than the corresponding institution in France, where a great deal was accomplished by the common action of similar associations in the way of securing the inhabitants of each *commune* against the depredations of barons engaged in private wars, and, generally speaking, of maintaining the peace of God. (Thierry, II. 122. Semichon, *La paix et la trêve de Dieu*, I. p. 195. Levasseur, *L'histoire des Classes ouvrières en France*, p. 180.) There was no need for them to undertake this function in historic times in England, as the king's peace was enforced during the parts of the year which the peace of God had been intended to protect, and also professed at all times to give security on the main roads and navigable rivers of the realm. Roger of Hoveden, II. 219, 223.

<sup>2</sup> Gross, *Gild Merchant*, I. 2, 4.

<sup>3</sup> Gasquet, *Précis des institutions politiques*, II. 288. Levasseur, *L'histoire des Classes ouvrières*, I. 193. Araskhanianz, *Französische Getreidehandelspolitik*, 5.

<sup>4</sup> Madox, *Exchequer*, c. XIV. § 15, p. 390.

<sup>5</sup> This is the general phrase for contributing to the burgh rate. The common opinion, that 'scot' means the payment of a rate and 'lot' the performance of communal obligations, has been discussed with care and disproved by Gross, *Gild Merchant*, I. 54.

<sup>6</sup> Madox, *Firma Burgi*, 26. *Exchequer*, c. X. § 5, p. 232. A long list of towns which paid fines under King John for leave to buy and sell as they had done in

The most frequently mentioned of all these bodies were the <sup>A.D. 1066</sup> weavers of London, and they had charters from Henry I., <sup>—1272.</sup> Henry II. and Henry III. John promised the citizens that he would suppress this gild<sup>1</sup>, on their paying a larger annual sum than the weavers had been wont to pay; but apparently he only took money from both parties and allowed matters to run in the old course. They may possibly, during their earlier struggles, have inhabited a soke of their own, exempt from civic jurisdiction<sup>2</sup>, but in the time of Edward I. the city had succeeded in asserting its complete authority over them, 'as they were obviously under the jurisdiction of the Mayor in 1300'. The difficulty of dealing with craftsmen who claimed to have royal authorisation and to be independent of local jurisdiction was illustrated under Edward IV. by the quarrel between the tailors at Exeter and the town<sup>3</sup>, and it seems to <sup>A.D. 1475.</sup> have been a question of general interest in the time of the Good Parliament<sup>4</sup>. The formation of craft gilds, as specialised <sup>A.D. 1376.</sup> branches of town authority, occurred very frequently in the fourteenth century<sup>5</sup>, but these earliest craft gilds may well have originated as institutions formed by foreigners who had settled in English towns.

68. The artisan settlers were gradually absorbed in the <sup>Alien  
merchants.</sup> ordinary English life of the places where they were established; but there were other foreigners who simply came to trade and not to settle. They were always anxious to live according to their own rules and settle their own disputes, and also to

the time of King Henry, or 'de qualicunque latitudine et strictitudine' is given by Madox (*Exchequer*, c. xiii. § 8, p. 324). The existence of weavers' gilds proves that there was some native manufacture, as well as the case of the men of Esseburn who were guilty of stretching cloth. Madox (*Exchequer*, xiv. § 15, p. 393). There is much probability however in the suggestions made by Thompson that the fines were paid for liberty to import foreign cloth, and to evade a new policy of protecting native weavers; also that the amounts paid indicate the relative importance of the trade of different towns. *Assoc. Arch. Soc.* II. 363. Worcester, Beverley, Norwich and other towns mentioned were early centres of a weaving trade, but apparently desired to import as well; while London, Boston and other places which had weavers' gilds may have preferred to have foreign cloth excluded. Different branches of the weaving trade were organised in Winchester in the thirteenth century and probably earlier. *Arch. Jour.* IX. 70. For Andover (1262) see Gross, *Gild Merchant*, II. 4.

<sup>1</sup> Madox, *Exchequer*, IX. § 2, p. 329, note m. <sup>2</sup> Riley, *Liber Cust.* I. lxii.

<sup>3</sup> *Liber Cust.* I. 124.

<sup>5</sup> *Rot. Parl.* II. 381, No. 54.

<sup>4</sup> *English Gilds* (E. E. T. S.), 302.

<sup>6</sup> See below, p. 309.

A.D. 1066 <sup>—1272.</sup> secure a place of residence where they could live themselves and store their goods, and not be at the mercy of English hosts. The privileges which they obtained time after time were purchased from the kings; and the struggle between conflicting authorities, which we have seen in connexion with the immigrant artisans, repeated itself in regard to the rights of aliens who lived and did business under special privileges in London or other cities.

*Germans.* The men of the Emperor<sup>1</sup> had been established in a permanent position in London in the time of King Ethelred and their privileges are carefully noted in his laws<sup>2</sup>. William of Malmesbury mentions the importance of their trade at London<sup>3</sup>. Very extensive privileges were granted to the merchants of Cologne by Henry II.

A.D. 1157. They were to be protected as his own men both in their merchandise, possessions and house in London, and no one was to make new exactions from them<sup>4</sup>; later, they had a concession in regard to selling their wine on the same terms as French wines. King Richard on his return from captivity passed through Cologne and was still more lavish in his grants to the traders there; they were to pay two shillings yearly for their gildhall in London, and to be free of all tolls and customs in the city, and also to be free to buy and sell at fairs throughout the land, in London and elsewhere<sup>5</sup>. This charter was subsequently confirmed by

A.D. 1218. John<sup>6</sup> and by Henry III.<sup>7</sup>. The chief obligation under which they lay was that of repairing the gate called Bishopsgate; but during the reign of Henry III. they had allowed it to fall into disrepair<sup>8</sup> and an effort was made early in the time

A.D. 1299. of Edward I. to distrain them; under this pressure they made a payment towards the necessary repairs of 240 marks sterling and promised to keep it in repair for the future. On this the city authorities<sup>9</sup> confirmed the privileges they exercised with regard to dealing in corn and electing their own aldermen. There were to be many feuds in after times

<sup>1</sup> Heyd (*Levanthandel*, I. 98) holds that these probably came from the fair at Frankfurt and from Mainz which was then the staple for Eastern produce, and was frequented by the burgesses of many towns. Lappenberg, *Stahlhof*, I. 5.

<sup>2</sup> *De institutis Londonie*, 2. Thorpe, I. 300.

<sup>3</sup> *Lib. de Gest. Pont.* II. prol.

<sup>4</sup> *Ibid.* II. 5.

<sup>5</sup> *Rot. Hund.* I. 416, 428 b, 431.

<sup>6</sup> Lappenberg, *Stahlhof*, II. 4.

<sup>7</sup> *Ibid.* II. 6, 8.

<sup>8</sup> *Ibid.* II. 12.

<sup>9</sup> Lappenberg, *Stahlhof*, II. 14.

between the men of the Hanse and the London citizens, but A.D. 1066 this incident closed by a formal agreement that the Hansards —1272. should elect their own aldermen, but that the superiority of the city should be recognised<sup>1</sup>.

At this time the Steelyard, or house of the German <sup>The  
Steelyard.</sup> merchants, was a considerable place; it had been enlarged in 1243 by the purchase of an adjoining house and garden<sup>2</sup>. The precise relations between the merchants from the different towns which subsequently formed the League do not concern us here, but it appears that the men of Lubeck and Hamburg had separate privileges<sup>3</sup>; and the Flemish merchants also had a hanse of their own in London<sup>4</sup>.

The trade between London and Germany was very <sup>Provincial  
centres of  
German  
trade.</sup> important<sup>5</sup>, but it was not confined to London. There were many merchants from Lubeck and other German towns in Boston and Lynn<sup>6</sup>; hansehouses were eventually built at both places; but as early as 1271 the Germans had some sort of local organisation of their own, and Symon a citizen of Lynn was their Alderman there; on one occasion he gave a pledge on behalf of some Lubeck merchants to the amount of £200. On the whole we find a marked progress in the status of the German merchants; at first they had a vague protection as the personal subjects of the Emperor, but their status was recognised both by royal and municipal authority in the reign of Edward I., when they had an organisation in several towns, and a local habitation in London.

We have ample contemporary information as to the <sup>Articles of  
trade.</sup> staple articles of the leading trade. Henry of Huntingdon, whose history was finally given to the world in 1155, while extolling the natural products of Britain<sup>7</sup>, adds a single

<sup>1</sup> Concesserunt etiam eisdem quod habeant aldermannum suum prout retro actis temporibus habuerunt; ita tamen quod aldermannus ille sit de libertate civitatis predicte, et quociens per predictos mercatores electus fuerit, maiori et aldermannis civitatis presentetur et coram eis sacramentum faciat rectum et justicium in curiis suis quibuscumque faciendi, et se habendi in officio suo, prout salvo jure et consuetudine civitatis se habere debebit et consuevit. Lappenberg, *Stahlhof*, II. 15.

<sup>2</sup> Maitland, *Survey of London*, I. 29.

<sup>3</sup> Lappenberg, *Stahlhof*, I. 18.

<sup>4</sup> Warnkönig, *Flandrische Staats- und Rechtsgeschichte*, I. App. No. 39.

<sup>5</sup> William of Malmesbury, *Gesta Pont.* § 73.

<sup>6</sup> Lappenberg, *Stahlhof*, I. 163, 166. *Lubecker Urkundenbuch*, I. No. 829.

See also on Lynn in Sartorius, *Deutsche Hanse*, II. 228, No. 118.

<sup>7</sup> Compare the accounts of the natural products given by Bede, *Hist. Ecc.* I.

A.D. 1066—1272. sentence in regard to its trade. He speaks of the trade with Germany as extensive, and mentions the objects in which it was carried on ; the exports were lead and tin, fish and meat, fat cattle, fine wool and jet. Most of these are articles of very general demand ; while our realm was so self-sufficing that England did not depend on Germany for any of the necessaries of life. Under these circumstances the silver of German mines was imported into this country in very considerable quantities. There seem to have been occasional instances of the export or import of corn, and this according to William of Malmesbury was one of the main advantages of the trade, that we could buy corn in time of scarcity.

*Eastern trade.*

There is every reason to believe that spices and other articles of luxury might be imported from the East through this channel. During the eleventh and twelfth centuries the Slavs carried on a great trade, as the Norsemen had previously done. They had a trading emporium at the mouth of the Oder, and were in constant communication with the Russian cities at Kiew and Novgorod, and thence with the Black Sea and the East<sup>1</sup>. Charles attempted to open up the Danube valley for commerce<sup>2</sup>; though there does not seem to have been much through communication from Germany along the whole line until the time of the Crusades, when several of the expeditions made a passage by this route. Constantinople was in a commanding position for trade with the East, whether goods were brought by caravan through Syria, or across from Egypt, or by Trebizond and the Black Sea ; this last was the only route which remained open as the Mohammedan power extended.

*Import of wine.*

A.D. 1221.

69. The northern trading connexions remained unbroken, and we may note signs of a vast development in the importation of wine. It was still brought from central France<sup>3</sup> as before the Conquest ; but we hear of other vintages too, as a great Lorraine fleet arrived annually<sup>4</sup>; repeated privileges were given to the men of Cologne<sup>5</sup>; and Rochelle shipped wine to Dublin<sup>6</sup>. There were Gascon merchants in London in 1275, and they received a charter of liberties from

<sup>1</sup> Lelewel, *Géog. de Moyen Age*, III. 216.

<sup>2</sup> Heyd, *Levanthandel*, I. 91.

<sup>3</sup> Wine of Auxerre, Madox, *Exchequer*, XIII. 8.

<sup>4</sup> Lib. Cust. I. 61.

<sup>5</sup> Lappenberg, *Staathof*, II. 6.

<sup>6</sup> *Munic. Doc. Ireland (Rolls)* 77.

Edward I. The city complained that the terms of this A.D. 1066 charter were an infraction of their privileges; apparently the difficulty was about the right of the merchants to live together and have their own table<sup>1</sup>. The citizens did not contest their right to have cellars and warehouses, and the Londoners were more successful than they had proved in their complaints against the men of the Emperor, and kept the control of this trade in their hands. This would require shipping, as communication with Gascony must of course have been carried on by sea, but it does not appear that English sailors voyaged further till the time of Richard A.D. 1190. Cœur de Lion, when we have the first undoubted instance of English ships penetrating to the Mediterranean<sup>2</sup>.

There was of course abundant communication with Rome *and Italy*. on ecclesiastical and diplomatic affairs, but this was doubtless carried on by the Seine, the Rhone and Marseilles; Rouen was the main port of communication, though Bruges was also used<sup>3</sup>, as well as Calais. The detailed itinerary from this point, but for a later period, by Paris, Lyons and Turin is given in *Arnold's Chronicle*<sup>4</sup>. Along some such route as this the wool of England was conveyed to be worked up in Italian looms. Lucca had been a centre of this trade in the ninth century, the Florentines took it up somewhat later; but the *Hundred Rolls* show us that many merchants from both cities were engaged in buying wool for transport from A.D. 1275. England. They seem to have formed large merchant houses with several partners; Aldebrand of Lucca and all his company, Lucas of Lucca and all his company had been dealing in London<sup>5</sup>. There were several companies of Florentine merchants who bought wool at Stamford and shipped it at Boston<sup>6</sup> or Lynn<sup>7</sup>, as well as a Piacenza company; and there were more Florence merchants in Northampton<sup>8</sup>. Indeed it appears that in 1284 many monasteries in Great Britain

*Export of  
wool.*

<sup>1</sup> Delpit, *Collection*, LXX. LXXXIX.

<sup>2</sup> Macpherson, *Annals*, 1190. The first of the fleets of galleys which came from Venice, appears to have been organised in 1317. Brown, *Calendar (Venetian)*, 1. lxi.

<sup>3</sup> *Encomium Emmae*, 1042. Sharpe, *Calendar of Letters*, vi.

<sup>4</sup> London, 4to. 1811, p. 242.

<sup>5</sup> *Rot. Hund.* 1. 405.

<sup>6</sup> The returns of the customs seem to show that the wool trade of Boston greatly exceeded that of any other port at this time. P. Thomson, *Assoc. Arch. Soc.* II. 369. <sup>7</sup> *Rot. Hund.* 1. 353, 357, 396. <sup>8</sup> *Ibid.* II. 4, 15.

A.D. 1066  
—1272. had agreed to sell their wool to the Florentines<sup>1</sup>. It has been frequently stated<sup>2</sup> that the Lombards and other Italians first settled in the north as agents for the collection and transmission of papal taxation but it is clear that they at any rate carried on a large mercantile business at the same time or developed it after they arrived. The proof of the export of wool to Italy shows that it was perfectly possible to remit the value of the payments to Rome without denuding the country of the precious metals<sup>3</sup>.

circ.  
A.D. 1020.

This great trade with the Italian cities gave still better opportunities for communication with the East. The cities of Italy vied with each other in opening commercial relations; in the eleventh century the people of Amalfi established a factory in Constantinople<sup>4</sup>; they had a footing in Antioch and tried to settle in Jerusalem itself; they were more successful however in carrying on a regular trade with Egypt. The Venetians were not far behind them; even in the ninth century they had a considerable trade with Syria, and their city was well situated for a great depot, as the river system of the Po enabled them to send goods up to Pavia, while the Alpine passes were available for transport into Germany and France. They were in cordial relations with the Saracens both at Damascus and Cairo, and supplied them with munitions of war; but at the time of the Crusades they were forced to break off these connexions, and they gradually replaced them by establishing a network of factories from the Crimea to Laodicea and Antioch.

Though the Crusades interrupted the commerce between the East and West, they served to lay the foundations on which another Italian city rose. The commerce of the Genoese had been cramped by the near neighbourhood of Saracen sea-rovers; but the Ligurians were now ready to take a part with Pisa and Venice in carrying on the transport trade which the great military expeditions rendered

<sup>1</sup> Peruzzi, *Storia del commercio e dei banchieri di Firenze*, p. 70.

<sup>2</sup> Schanz, *Englische Handelspolitik*, I. 111.

<sup>3</sup> A very curious story showing that foreign merchants travelled to England with ready money and collected wool for export as early as 1114, is quoted by Prof. Ashley (*English Woollen Industry*, p. 86) from Hermann, *De miraculis S. Mariae Laudunensis*, II. cc. 4, 5 (Migne, clvii. 975).

<sup>4</sup> Heyd, I. 114 f.

necessary. England was particularly indebted to them for A.D. 1066 assistance in this matter, and a connexion was established <sup>—1272.</sup> with the Ligurian republic which Richard I endeavoured A.D. 1190. to cement when he adopted S. George as patron Saint<sup>1</sup>.

70. At the end of the thirteenth century it would *The Jews* appear that the English municipalities had so far advanced that they were able to absorb the foreign artisans and to come to terms with bodies of foreign merchants. But there was another large body of opulent men with whom the citizens had little or nothing in common. There was so much common law and so many similar habits of life throughout the whole of Christendom, that the artisan or merchant who was born in a French municipality would soon be able to adapt himself to the ways of English neighbours<sup>2</sup>. But it was not so with the Jews; they were intruders with no status of their own, but such as was afforded them by the king who owned them as his chattels. As against the king <sup>as royal chattels.</sup> they had no rights at all, and they could not grant a discharge to their debtors without the consent of royal officers<sup>3</sup>; in so far as they held land, it was simply a pledge which they possessed, not an estate to which they had a full title<sup>4</sup>. They were indirectly the instruments of countless exactions by the kings from their subjects, and shared in the unpopularity of their royal masters. But they were also personally unpopular because they maintained themselves in their isolation, just as the Chinese now do in San Francisco; they were determined not to adopt the industrial and commercial usages of a Christian community. For this there was at any rate considerable excuse; so long as they were liable to attacks from their neighbours, it was hardly possible for them to take to ordinary merchandise, or work, as they could not secure bulky goods from destruction, though they could secrete jewels or papers. The ancient house at Lincoln seems to suggest by its plan and arrangement that the inhabitants were prepared to stand a siege, and men who

<sup>1</sup> J. T. Bent, *Genoa*, 88.

<sup>2</sup> Richard of Devizes, *Chron.* § 81.

<sup>3</sup> *Capitula Iudeorum* (1194), Roger Hoveden (Rolls Series), III. 266.

<sup>4</sup> J. Jacobs in *Anglo-Jewish Exhibition Papers*, p. 38. The case of 'Manasses' who had bought land in Oxfordshire, without the king's licence, appears to be an early instance. *Bلicestone, Domesday*, I. 160 b, 2.

A.D. 1066 —1272. lived under such conditions could hardly venture to pursue ordinary avocations.

*Their isolation.* The very isolation of the Jews during this period renders their history specially interesting; the recent publication of the Anglo-Jewish Historical Exhibition papers has shed a flood of fresh light upon the whole subject, and it is more easy to note the manner in which this one social group was affected by the various conditions of the time, and thus to obtain a clearer understanding of the nature of these conditions themselves. The political structure of the realm, and the comparative strength of the English crown, gave them on the whole a more favourable position than they enjoyed in other lands<sup>1</sup>; in the latter part of the twelfth century<sup>1</sup> a special court, the Exchequer of the Jews, was erected for the purpose of regulating their affairs both fiscally and judicially; and the Jews were practically forced to gather together into those towns where public chests were maintained for the registration and preservation of their bonds. The king was able, on an estimate of these debts, to tallage the Jews from time to time and, if they did not meet his demands, to appropriate the properties pledged to them. The Jews thus served the purpose of a sponge which sucked up the resources of the subjects, and from which their wealth could be easily squeezed into the royal coffers.

*Unscrupulous and ruthless persecution.* The feeling against them also serves to illustrate the current tone of morality in various matters. The unscrupulous manner in which miserably insufficient evidence against them was accepted, and the violent cruelty with which they were treated by their persecutors<sup>2</sup>, are striking instances of the credulity and ruthlessness of the times; but these things lie on the surface and need not be insisted on here. For our purpose it is more important to note that the feeling against them was partly due to the trade they carried on, and that the attitude which was taken towards them illustrates the nature of the current business morality to which they failed to conform. The precise nature of the Christian objection to

<sup>1</sup> See the admirable paper of Gross in *Anglo-Jewish Exhibition Papers*, 170. Compare also von Raumer, *Geschichte der Hohenstaufen*, v. 248—256.

<sup>2</sup> Walter Rye in *Anglo-Jewish Exhibition Papers*, p. 186 f.

usury will be stated below<sup>1</sup>; it may suffice to point out here A.D. 1066 that the Jewish capital can have been of but little use for trading purposes as the merchant would apparently have had to borrow at something like forty per cent.<sup>2</sup> If he could trade to advantage with capital obtained on such terms the ordinary rate of business profit must have been remarkably high, despite the terrible risks run by mediæval merchants. The real objection was that the Jew obtained forty per cent. by lending money to extravagant or heavily taxed landowners<sup>3</sup>, and bargained himself out of risks of every kind, while the merchant who undertook the dangers and difficulties of trading could not obtain a similar rate of return. The Jew *Base callings.* got his large return, not because he was more clever in the way in which he did legitimate business, but because he made a living by base and dishonourable callings. An opinion which has asserted itself in so many lands and so many ages, deserves at all events to be examined, before it is contemptuously dismissed as an idle prejudice; and a little reflection on the conduct of the Jew in the East<sup>4</sup>, or in

<sup>1</sup> See p. 236.

<sup>2</sup> *Anglo-Jewish Exhibition Papers*, 207.

<sup>3</sup> For an excellent example compare the deed of William of Tottenham acknowledging a debt of 100 marks and mortgaging his land. Round, *Ancient Charters*, 82.

<sup>4</sup> For centuries they continued to live habitually by sordid callings. In the days of their great king foreign labourers had been required to build their temple, and their prophets in their highest moments of inspiration (*Is. xli. 4*) rejoiced in the thought that the Gentiles were to do all the work while the Jew would idly enjoy the fruit. The contemptuous estimate of honest labour as compared with cultured leisure in *Ecclesiasticus* (xxxviii. 39) brings this side of the national character into fuller relief, while the ingenuity of the Talmudists was devoted to the elaboration of a code of dealing by which they might continue to spoil the peoples among whom they sojourned. If we consider the sort of reputation which the Jew enjoyed in pagan Rome, we find that he was no better and no worse than the Jew of the mediæval chroniclers. The darker side of the Jewish character has not been entirely produced by the treatment the race has received from Christians. It may not be possible to distinguish entirely the respective influence of circumstances and of disposition, but it is noticeable that the Jews have in many ages and lands roused the suspicions of those among whom they sojourned and armed them in self-defence. It is worth while to compare the feeling in Russia at the present time, which, be it observed, does not extend to those who have rejected the teaching of the Talmud.

The demands of the people of Pereyaslav are as follows:—1. That Jews, members of Town Councils and Provincial Assemblies, Vice-Directors of different town banks, should voluntarily give up their present posts, casting off the cloak of pride and braggadocio: as persons not possessing civic virtue, they are unfit to hold such places. 2. That the Jews should impress on their wives and daughters

A.D. 1066 pagan Rome, will serve to disprove the calumny that the  
—1272. faults of the Jewish race originated in the maltreatment they received at the hands of Christians. Every legislative effort<sup>1</sup> was made in the thirteenth century to induce them to conform to ordinary ways and take to other callings so that they might be assimilated into the life of the places where they lived.

*Missionary effort.* This absorption would have been rendered simpler if they could have been got to accept the Christian religion, as otherwise their mere presence at such a function as the coronation of their master was felt to be offensive. Many efforts were made to convert them, and an hospital was founded in 1233 for the support of those who relinquished Judaism and were baptised. The converts ceased as Christians to be the chattels of the king, but as they were unable to claim their goods from him, they had to begin life as mere paupers<sup>2</sup>. The *Domus Conversorum* which stood on the site of the present Rolls House never contained more than thirteen residents<sup>3</sup>, and not a few of the conversions were more apparent than real, if we may judge from the letter which Archbishop Peckham addressed to Edward I. in 1281<sup>4</sup>. He held that though they could not be compelled not to deck themselves out in silk, velvet, gold etc., as such attire is neither in keeping with their education nor the position they hold in society. 3. That the Jews dismiss from their service all Russian female servants who, having served in Jewish houses, assuredly become prostitutes, forget their religion, and are intentionally depraved by the Jews. 4. To banish without delay all Jews belonging to other places who do not possess any real property in the town. 5. To close all drinking-shops. 6. To forbid Jews to abuse the Christian burgesses, and in general to scoff at them. 7. To prohibit Jews from buying up in the markets the first necessaries of life with the intention of reselling them to the Russians. 8. To impress on wholesale dealers in spirits not to mix with vodka any foreign element, which sometimes is injurious to health. 9. Not to trade on the Sabbath before noon, and at Christmas and Easter not to trade for three days, and not to work on our holidays. 10. To prohibit Jews buying wheat for trading purposes within thirty versts of the town of Pereyaslav, and therefore to remove all existing grain and flour stores. 11. To prohibit Jews from buying up uncut wheat, also to lease land from private individuals. 12. The Town Council is begged not to let, and the Jews not to hire, the grounds at fairs and markets, with the object of farming them out. *Consular Reports, Russia*, No. 2, 1882, p. 9.

<sup>1</sup> *Statutes of Jewry.*

<sup>2</sup> Tovey, *Anglia Judaica*, 216. Edward I., in his anxiety for the conversion of the Jews, and the removal of obstacles to their absorption, consented to waive his claim to the property of converts. *Rot. Parl.* i. 49 (48).

<sup>3</sup> Jacobs in *Anglo-Jewish Exhibition Papers*, 41.

<sup>4</sup> Non sine dolore cordis et angustia est nostris auribus inculcatum, quod nonnulli sexus utriusque, tam in civitate London quam alibi, qui a Judaica

to profess the Christian faith, they ought to be forced by all <sup>A.D. 1066</sup> possible measures to maintain a profession once made and <sup>—1272.</sup> sealed by Baptism.

But when they remained steadfast in the faith of their <sup>Regulation of their business.</sup> fathers it was necessary, if they were to be absorbed into ordinary English life, that they should give up the special modes of obtaining a livelihood which they practised, but which were forbidden to Christians. From the time of Richard I. their usury had been regulated rather than prohibited, but Edward I. forbade them<sup>1</sup> to live by such loans, and insisted that they should seek their living and sustain themselves by other legitimate work and merchandise<sup>2</sup>. They had however continued to carry on usurious dealings under the colour of honest trade; and Edward was forced to revert to the plan<sup>3</sup> of limiting the rate to 42 per cent., and decreeing that the Jew should not be able to recover more than three years' interest<sup>4</sup>, along with the principal.

The bitter feeling against the Jews was obviously intensified at the time of the Crusades; barons and knights who stayed in England were not unwilling to show their zeal by slaying their unbelieving neighbours, especially when by so doing they were able to wipe out intolerable arrears of debt. The Crusades had besides opened up opportunities for doing business which Jews were glad to seize. Though the landed proprietor did not require money for purposes of trade, he was seriously at a loss for the means of equipping himself for an expedition to the Holy Land. The same circumstances which enabled many of the towns to buy their freedom, enabled the Jews to lend large sums on the security either of lands, or of an annual return in produce from the land<sup>5</sup>. There was in consequence an enormous increase in the amount of *perfidia ad Christianam religionem conversi fuerant, ad vorum redierunt, superstitionem Judaicam, ut primitus non sine contemptu fidei Christianae nequiter mutantes.* *Registrum Epist. J. Peckham* (Rolls Series), i. 239.

<sup>1</sup> Tovey, *Anglia Judaica*, 200.

<sup>2</sup> *Statutes of Jewry.* The duty of working, as a mode of personal self-discipline, and as supplying the means for aiding man and serving God was strongly urged by the Fathers, and was embodied in the Monastic Rule. This was probably the element in the public feeling against Jews which can be most directly traced to Christian teaching, and not merely to practical experience.

<sup>3</sup> Gross, *Anglo-Jewish Exhibition Papers*, 226.

<sup>4</sup> *Ibid.* 178.

A.D. 1066 wealth which passed into, or rather through, Jewish hands at  
—1272. the very time when religious passions were most deeply stirred.

A.D. 1189. The persecution began at the time of the coronation of Richard I.<sup>1</sup>; the Jews wished to propitiate this king and attended in numbers; but the mob maltreated the Jews who mingled in the crowd at the palace, and the scuffle was continued by an attack on the houses of the London Jews; many of these were burned and the inhabitants perished miserably. This evil example was followed at Lynn, Bury, and Norwich; some young crusaders attacked and slew many of the Jews who had gathered at the Stamford fair. But the most terrible scenes were enacted at York<sup>2</sup>, on the return of Joceus from Richard's coronation; he had been forcibly baptised and, since he renounced this compulsory conversion, he became specially obnoxious as an apostate<sup>3</sup>. He succeeded in taking refuge with all his treasures in the castle, and the Jews endeavoured to defend themselves there; but as they were so mistaken as to defy the castellan and refuse him admission to his own castle, he took the lead of the mob which was still more incited by the preaching of a Premonstratensian Canon. Many of the Jews, acting on the spirited advice of a Rabbi, killed themselves; the remainder, who offered to treat, were massacred by the mob at the instigation of a certain Richard de Malabestia, who was deeply indebted to the Jews<sup>4</sup>. The crowd had only accomplished half their work when they had thus slaughtered the Jews; they then proceeded to the Cathedral and burned the bonds which were enrolled there, so as to destroy the evidence of the royal claims upon them.

This bitter hatred of the Jews made itself felt not only in these savage outbreaks but in the disabilities which were imposed by regular authorities. They were not able to secure the possession of their houses, and were gradually driven from their quarters in the Old Jewry in London<sup>5</sup>. Not only

<sup>1</sup> Rye, *Anglo-Jewish Exhibition Papers*, 141.

<sup>2</sup> Drake, *Eboracum*, 94.

<sup>3</sup> Rye, *op. cit.*, 146.

<sup>4</sup> The proof of his debt and therefore of his motive came out in a document exhibited at the Exhibition in 1885. Rye, *op. cit.*, 149.

<sup>5</sup> Compare Mr Jacobs' scholarly paper and map in *Anglo-Jewish Exhibition Papers*, 80.

so, they were themselves expelled from one town after A.D. 1066 another. Simon de Montfort turned them out of Leicester —1272. and promised the burgesses they should never return<sup>1</sup>. In 1258. 1275 they were expelled from Cambridge, by the influence of the king's mother<sup>2</sup>; but as we have already seen such action was not always disinterested on the part of noble personages. Robert Grossteste, in writing to the Countess of Winchester, is particular to point out that Christian rulers should not reap advantage from the results of Jewish extortion<sup>3</sup>. Though we hear less of mob outrage in the thirteenth than in the twelfth century, no substantial success attended the attempts to assimilate them to English subjects and absorb them into the ordinary life of the towns in which they lived.

71. The difficulties between the towns and the Jews were primarily due to the fact that the latter claimed whatever status they possessed from the king himself, and had no immediate relation with inferior authorities. But there were other immigrants who asserted rights to entire independence; they owed obedience to authorities beyond the realm, and claimed immunity, not only from the local regulations of burghs, but from the royal power itself. Such were the ecclesiastics, who flocked into England after the Norman Conquest. It has been pointed out above<sup>4</sup> that the mission of S. Augustine and the Roman monks to England was not of much direct importance, so far as economic matters are concerned, but that the indirect results were very far-reaching, especially in the legal changes which were introduced or accelerated, such as the granting of land in perpetuity by *boc.* On the other hand the great ecclesiastical invasion in the twelfth and thirteenth centuries is of interest not only in legal but in economic and fiscal affairs as well.

a. William's expedition had been somewhat of the nature of a crusade, and the ecclesiastical reforms which were carried out by Lanfranc and Anselm all tended to strengthen the papal influence in England. The separation

<sup>1</sup> Thompson, *History of Leicester*, 72.

<sup>2</sup> Rye in *Anglo-Jewish Exhibition Papers*, 165.

<sup>3</sup> *Epistola* (Rolls), 86.

<sup>4</sup> See § 32.

A.D. 1066 of the civil and ecclesiastical courts opened the way for frequent appeals to Rome, and gave a new importance to the revived study of ecclesiastical jurisprudence. The Archdeacons who had been educated in Italy, even if they were English by birth, were not always a credit to their order<sup>1</sup>; and the payments which arose through papal claims on English benefices, and in connexion with fees at the Roman court<sup>2</sup>, were enormous. The whole machinery for obtaining decisions in ecclesiastical causes was permeated by Italian influence, —1272.  
*Appeals.*  
*Arch-deacons.*  
*The Pope's merchants,* and the great papal revenue was collected by papal merchants; apparently the tithes which the Pope claimed were gathered in kind and sold in the town markets; so that those who were opposed to the taxation were able in 1231 to obtain payment of tithes on the Pope's behalf by means of forged letters, and then to sell the goods for the public benefit<sup>3</sup>. The price obtained by the Pope's merchants at these sales was transmitted to Italy by bills of exchange, against which, as it appears, wool was exported. It is not likely that much was actually transmitted in specie; the frequent complaints of the scarcity of coin in consequence of the papal taxation would be quite as much justified if the coin was hoarded by merchants as if it was actually exported; this last would only be done when it was absolutely necessary.

*and money lending.* <sup>4</sup> If the Pope's merchants were thus able to amass large hoards of silver, they were naturally tempted to use them as the Jews did by lending money on good security<sup>4</sup>; they were forced to have recourse to ingenious devices in order to obtain profit on money lent without being technically chargeable with usury. Matthew Paris gives a most interesting document from which we discover one such method of evasion<sup>5</sup>. A sum of 104 marks was borrowed of certain merchants, called Caursines<sup>6</sup>, on April 24, to be repaid in full

<sup>1</sup> Stubbs, *Lectures on Mediæval History*, 302.

<sup>2</sup> Otho proposed to assign a Proctor at the court of Rome to each diocese, but it was not clear that the payment of one man would make it less necessary to fee several. Pearson, *History*, II. 148.

<sup>3</sup> Pearson, II. 150. Rymer, I. 208.

<sup>4</sup> Compare the interesting case (1273) of the Abbot of Bordesley who obtained a loan in money which he tried to discharge by paying wool. *Rot. Parl.* I. 1.

<sup>5</sup> Mat. Paris, *Chronic. Major*, III. p. 329.

<sup>6</sup> Caursines, or Cahorsines, the merchants of Cahors in Guienne. Cf. Dante, *Inferno*, XI. 49—51.

without interest on August 1st. If however the money was A.D. 1066 not forthcoming at that date, interest at the rate of 10 per cent. every two months,—60 per cent. per annum,—besides other charges, was to begin. This interest was nominally payment for expense incurred in sending for the money again and again ; and through this excuse, the various canons and enactments against taking interest were evaded. The remarks of the monk may be quoted as clearly expressing the state of feeling on the subject ; The Caursines “circumvented the needy in their necessities, cloaking their usury under the show of trade, and pretending not to know that whatsoever is added to the principal is usury, under whatever name it is called. For it is manifest that their loans lie not in the path of charity, inasmuch as they do not hold out a helping hand to the poor to relieve them, but to deceive them ; not to aid others in their starvation but to gratify their own covetousness ; seeing that ‘the motive stamps our every deed’.” Hence it came about that the popular indignation which had been raised against the Jews was diverted to expend itself on the wealthy Florentines\*.

b. The Norman and Angevin reigns were marked by the foundation of a very large number of monasteries ; this was the available means of devoting wealth, not only to the glory of God, but to the maintenance of culture and learning. The existing houses in England were mostly Benedictine, each abbey was a separate centre under the control of its own abbot, and monks had replaced the secular canons in several foundations. Under Norman influence there were several attempts to revive discipline, but the plan, which was A.D. 1066. adopted in the charter of Battle Abbey, of exempting the monks from episcopal control had baneful results. Twenty-six Benedictine Houses were planted under the two Williams ; and some of the new orders were also established ; the Augustinian Canons who were favourably distinguished from some other bodies<sup>2</sup> appeared in the time of the Conqueror ; the Cluniac (*black*), Cistercian (*white monks*), and Carthusian (*white habit but black cloak*) Orders all arose as attempts to reform the Benedictine (*black monks*) Rule, and were introduced into

*Monasteries.*

*The new Orders.*

<sup>1</sup> Mat. Par. (Bohn) 1. 2.

<sup>2</sup> See below, p. 271.

<sup>3</sup> Giraldus, *Iter Camb.* 1. c. 8.

A.D. 1066—1272. England under the Conqueror, Rufus, and Henry II. respectively. The white canons of Premonstre were introduced in *The Friars*. the time of Stephen; the Dominicans (*Black Friars*) and Carmelite Friars as well as the Franciscans (*Grey Friars*) appeared in the reign of Henry III. There were besides the great military Orders; the Hospitallers (*black with a white cross*), and the Templars (*white with a red cross*)<sup>1</sup> so that a very large amount of the wealth of the country was in the hands of ecclesiastical corporations.

*Fiscal difficulties.* Fiscally the results were serious, as ecclesiastical land did not contribute so largely as the land held by military tenure for purposes of war; the military orders owed their first duty to the defence of Christendom and not as other knights to the realm<sup>2</sup>. And there was a difficulty about the collection of any revenue, as the houses of the Cluniac and Carthusian orders were only priories, and the ultimate control of their property rested with the Abbot at the mother houses; the Cistercians too owed allegiance to the mother house from which each English abbey traced its descent, but this plea did not enable them to evade royal taxation in the time of Edward III.<sup>3</sup>

*Influence on industry and commerce.* Industrially and commercially on the other hand, there was not much cause for complaint; considerable pains were taken in the management of their estates, and though they failed to adapt themselves to the changed conditions of life in the fifteenth century, and were greatly impoverished, they were perhaps less unpopular at the last than at the time when they were frequently engaged in disputes with villan tenants. There is ample evidence too that the monks devoted themselves to cultivating our staple export by pasture farming; the Cistercians who had settled in the deserted districts of the north had special opportunities for this business, but we have records which show that the Florentine wool merchants obtained supplies from all parts of the country and from houses belonging to different orders<sup>4</sup>.

<sup>1</sup> M. E. C. Walcott, *English Ministers*, II. 11.

<sup>2</sup> Addison, *Templars*, 237.

<sup>3</sup> See below, p. 254. On Edward I.'s action in 1300 compare *Greatest of Plantagenets*, 228.

<sup>4</sup> See Appendix D.

The connexion between the monasteries and the towns A.D. 1066  
 was close and not always friendly; to the Abbey the town  
 often owed its origin; but as they increased in wealth, the  
 townsmen wished to be freed from the control which the  
 abbot exercised; men were inclined to resent manorial claims  
 and rights everywhere, and the monasteries exercised these  
 rights in some prosperous places where the grievance was  
 most deeply felt. Again, the friars occupied large sites in  
 prominent positions in the towns, and there were frequent  
 and angry collisions between them and the burgesses. The  
 struggle between the monks at Norwich<sup>1</sup> and the townsmen  
 led to open warfare, and terrible destruction of life and  
 property. Similar stories are told of outrages and riots at  
 Bury<sup>2</sup>, Reading<sup>3</sup>, and elsewhere. Owing to the position of the  
 monks, and the protection they could count upon from Rome,  
 kings were not able to give an unfettered decision, and the  
 burgesses had great difficulty in securing justice for them-  
 selves, or in resisting any encroachment on their chartered  
 rights.

—1272.  
*Struggle  
 with the  
 towns.*

## V. ROYAL CHARTERS.

72. Attention has already been called to the fact that *The growth  
 of towns  
 from* there was an immense increase in the prosperity of the towns during this period. They were very much more numerous at the time of the *Hundred Rolls* than at the time of *Domesday*, but still more striking evidence of their growth is to be found by examining their constitution.

The Domesday villages, and for that matter the Domesday burghs, seem to have been completely controlled by royal *the time of  
 the  
 Conquest.* officials and manorial lords. The existence of lawmen in Lincoln, Cambridge<sup>4</sup> and elsewhere, of frith gilds<sup>5</sup> and cnighten

<sup>1</sup> Blomefield's *Norfolk* (1789), II. 39.

<sup>2</sup> Yates, *History of Bury*, 121—138. Much additional information on these quarrels is given in the documents printed by Dr Gross, *Gild Merchant*, II. 29—36.

<sup>3</sup> Costes, *History of Reading*, 49.

<sup>4</sup> The lawmen of Lincoln had *sac* and *soc*, those of Cambridge apparently had not (*Domesday*, I. 336 a, 1 and 189 a, 1).

<sup>5</sup> See above, p. 166.

A.D. 1066 <sup>—1272.</sup> gilds<sup>1</sup> in London and other towns, as well as the local customs like those recorded for Hereford, Worcester and Chester, show us germs of municipal life, and are of the utmost importance for the history of each of these towns. But it is difficult to see how far unauthorised associations and customs would be effective as barriers against royal or manorial aggressions; they were perhaps elements that were absorbed in the later constitution of different towns, but it was impossible to count upon the continuance of any liberties unless they were secured by charter. For the history of the towns as controlling agencies in connexion with industry and commerce, we need not attempt to go back to the period before the Conquest. It will suffice if we try to form some idea of the nature of the disabilities under which the townsmen lay at the time of the Conquest, and of the organisation which was formed for different purposes, judicial, fiscal and economic, as they gradually succeeded in getting the management of their affairs into their own hands.

*granted on different occasions* This was, it is hardly necessary to say, a gradual process, going on step by step, faster here, and more slowly there, according as circumstances favoured the towns, and the opportunity occurred of buying their own freedom; the needs of the nobles who were setting out for the East gave the opportunity of bargaining for grants of privilege; and similarly the towns were able to secure many immunities from royal interference at the times, when Richard I. started, and when it was necessary to raise money for his ransom. The townsmen would usually agree to pay a fixed annual rent as a commutation of dues and perquisites, and they would also have to pay a heavy fine for the charter which secured to them the privilege of making this annual payment, and so of being free from outside officials; they were often glad to make themselves more secure by paying a fine to a new king for his *inspeximus*, or confirmation of the privileges already given by his predecessors.

*in each town.* The history of constitutional progress in any town is therefore the history of the particular steps by which the inhabitants secured immunity from various disabilities; the

<sup>1</sup> Gross, *Gilda Mercatoria*, 19.

opportunities which occurred in one case were not available <sup>A.D. 1066</sup> ~~1272~~ in another, or the townsmen were not wealthy enough or wise enough to seize them; hence the history of each town differs from the history of every other. But not only was there a difference in the time at which these privileges were secured, but in the persons who were concerned in granting them. In some places the king was in the position of manorial lord so that his charters availed to remove all the various disabilities; but in other cases there was a manorial lord, or an abbot who had to be satisfied for some matters, while the royal claims had to be met for others; while there were other towns, like London itself, in which there were several 'barons' each exercising a separate jurisdiction within his own ward<sup>1</sup>. Until these separate jurisdictions were suppressed, it was almost impossible to have a consolidated municipal government in which all matters of trade, and police and taxation should be treated by a single recognised authority. Even in the time of Edward I. these separate jurisdictions presented such serious difficulty, that he devoted much energy to the laying out and building towns in new situations where the burgesses might be free from the interference of any authority but the crown.

73. It may be convenient to fix attention first of all on *Manorial disabilities*. the sort of disabilities to which townsmen were exposed at the hands of manorial lords, whether royal, clerical or lay; we may then examine those for which they were in all cases forced to seek relief from the king directly<sup>2</sup>. The clearest evidence on this point comes from those towns where no liberties had been granted, and where we can see the lords

<sup>1</sup> Thus the enquiries in the *Hundred Rolls* are answered separately for each ward as if it were a separate Hundred, not once for the whole town.

<sup>2</sup> A lord might grant to a town immunities from royal rights if the king had authorised him, cf. Thurstan's charter to Beverley (Stubbs, *Select Charters*, 109). But it is not clear what right the manorial lord had, or could acquire by prescription, and for what he required distinct warrant. Maitland, *Select Pleas, Manorial*, i. lx. In the case of Manchester "the ancient royal grants to its lords included a fair, in 1222 and 1227, and free warren in 1249; but as to any grant of a Court Leet or View of Frank-pledge the public records of these early times are silent; leaving us only to conjecture that, like the weekly market and other ancient franchises of Manchester, this court was held by prescription." Harland, *Manchester Court Leet Records* (Cheetham Soc.), p. 10.

A.D. 1066  
—1272. exercising the rights which the townsmen, in other cases, had in their own hands. The fullest body of illustrations may be derived from the history of Manchester, which continued to flourish under the control of its feudal lord till 1846, when it entered at once on the enjoyment of a nineteenth century constitution<sup>1</sup> and the last vestiges of the old Court Leet disappeared.

*Court  
Leet.*

This court had been held twice in the year by the lord's steward, and all the fines and other profits arising from matters which fell within the jurisdiction of the court went to the manor. The steward summoned the court through the bailiffs, and all those who owned service were required to present themselves for the view of Frank-pledge; it thus afforded an opportunity of reviewing the available military strength as well as of inquiring into any sort of misdemeanours that had been committed. Some of these were crimes which the Leet could only present, and which must be dealt with and punished in other courts—such were treasons and felonies. Other matters of police fell within the jurisdiction of the Court Leet; affrays and bloodshed could be dealt with, as well as failure to follow the hue and cry against robbers, nuisance arising from the blocking of highways, the stopping of water courses, or the breaking of bridges. Besides this, the court had jurisdiction in all matters of trade; forestallers, regrators and engrossers, butchers who sold diseased meat, shoemakers, tanners and glovers who sold bad goods or dear, bakers and brewers who broke the assize, as well as those who used false weights and measures were all liable to have their cases taken and investigated in this court and might be punished by fine, or the stocks, or pillory<sup>2</sup>. Since the lord had rights both in the markets and the fairs, all matters connected with the wholesale and retail trade of Manchester came under his cognisance, and he received the profits of this jurisdiction. We cannot but suppose that in the case of such towns as Manchester and Sheffield, which grew into affluence under this system, the government must have been

<sup>1</sup> The Records of the Court Leet have been published by the Cheetham Society, and more recently and completely by the Corporation.

<sup>2</sup> Kitchin, *Jurisdictions*, p. 16.

good on the whole, but the townsmen had no such security <sup>A.D. 1066</sup> ~~—1972.~~ against rapacious and ignorant officers<sup>1</sup> as they could hope for when the right to adjudicate on such affairs lay in their own hands.

Another point was of even greater importance ; if they <sup>Ancient Law and Customs.</sup> had the right of jurisdiction they could judge according to the customs they themselves approved. We gather that in Leicester the law which had been in use under the old lawmen was modified in Norman times, and the townsmen were forced to settle their disputes by wager of battle. This would seem to have been a tedious proceeding, since a judicial combat which began at 6 a.m. only ended at 3 p.m., when one of the parties engaged had the misfortune to fall into a pit<sup>2</sup>. The whole incident and the conduct of the disputants so impressed the townsmen, that they endeavoured to prevent the recurrence of a similar scandal, and agreed to pay the earl three pence for each house in the high street, on condition that the "twenty-four jurors who were in Leicester from ancient times should from that time forward discuss and decide all pleas they might have among themselves".

The history of Leicester also brings out other manorial <sup>Predial services.</sup> disabilities from which the towns had suffered. Many of the burgesses were villans who owed predial services to the lord ; so long as the towns were really agricultural communities this obligation was probably enforced by actual service. In Leicester it had been commuted for definite money payments, and in 1190 the burgesses were freed from these obligations by Earl Robert. "I have demised and in every way quitclaimed from me and my heirs for ever those pennies which were accustomed to be taken yearly from my burgesses of Leicester on account of reaping my corn at Leicester"<sup>3</sup> and other servile obligations. The history of

<sup>1</sup> Kitchin writing in 1598 says, "In some courts baron I have seen such subverting of justice by stewards, some by ignorance and wilfulness and some stewards to please their lords or for fear of losing their fee\*\*\*that justice many times had no place there, to the perilous example and overthrow of estate." *Jurisdictions*, p. 9.

<sup>2</sup> Thompson, *Leicester*, 28.

<sup>3</sup> Thompson, *English Municipal History*, 40.

<sup>4</sup> *Ibid.* 46.

A.D. 1066—1272. S. Albans and other towns shows that these manorial claims were bitterly resented two centuries later; and we can understand how anxious the inhabitants of twelfth century towns would be to secure not only personal freedom from servitude, but the right of self-government in regard to matters of police and of trade. It was with a great price that many of them acquired this freedom, paid in an immediate fine and an annual rent; and the older towns were certainly at a disadvantage when compared with the towns which king Edward planted and which were free-born.

*Royal claims.* 74. The townsmen like other subjects were bound to contribute to the defence of the realm, and they had to discharge other fiscal obligations. They could not of course be freed from these responsibilities, but to men engaged in trade there were many matters of practical importance which could be adjusted by royal favour, both in regard to the rate at which their liabilities were discharged and the persons through whom they were paid.

*Sheriffs.* The regular revenue from the town and the occasional taxation which might be due from it were in the first instance collected by the sheriffs; they were practically irresponsible, and they sometimes abused their position. The *Hundred Rolls* contain a great deal of interesting evidence on this point; in Cambridgeshire there were many complaints of Roger of Estra. When the bridge over the Cam was carried away by a flood he took a tax of 2s. and afterwards of 6d. a hide on pretence that he was going to build a stone one, and then he only built a wooden one after all. It was also pointed out that he spent seven weeks in making this structure and charged exorbitantly for the use of the barge he provided in order to ferry the inhabitants across<sup>1</sup>.

*Collective responsibility.* Hence the townsmen specially valued the privileges of being recognised for themselves and their heirs as collectively responsible for the royal revenue, instead of having to pay it through a sheriff. To be free from the sheriff in any respect was a gain, and it was also an advantage to the king when no middlemen intervened in receiving the revenue. In some instances the collection of dues and taxes was farmed

<sup>1</sup> *Rot. Hund.* 1. 54, 55.

to one of the inhabitants rather than to the royal officer in A.D. 1066  
 the shire; but it might not always be the case that any of  
 the townsmen were such substantial men as to be deemed by  
 the king fit for such a responsibility. When the burgesses  
 were sufficiently rich they were willing to be collectively and  
 individually responsible for the payment of the annual ferm,  
 and for the payment of arrears incurred at any subsequent  
 time. By the establishment of a collective responsibility on  
 the part of the burgesses the king had a responsible body with  
 whom to deal, and he could then dispense with making any  
 provision for collecting the various 'issues'; while the towns-  
 men would be careful to see that no one fell into arrear. The  
 citizens undertook to pay an annual composition for various  
 branches of revenue and thus were made free of customs and  
 other taxes while they levied a house rate among themselves  
 to discharge the annual payment. Those who were at *scot and lot* with the other inhabitants and bore their fair share of  
 the public burdens, were welcome to all the privileges of the  
 place, but the greatest jealousy was felt of *upland* men or  
*foreigners* (whether native or alien) who tried to take advan-  
 tage of the town privileges in their trade, while they did not  
 as householders contribute a fair share to meet the town  
 payments. This feeling found expression in countless regu-  
 lations to prohibit foreigners from carrying on their business  
 in such a way as to compete with the inhabitants of that  
 place. The statutes of the Southampton<sup>1</sup> Gild Merchant, which  
 date from about 1300, are very detailed and serve as an admir-  
 able illustration of the policy which was generally pursued.

The question of the rate at which the townsmen should *Fiscal obligations.*  
 be taxed depended on two distinct considerations; it was  
 partly resolvable into the farther question as to the terms  
 on which their land was held, and therefore as to the  
 occasions on which they should pay\*. On the whole the  
 tenants of ancient domain came off most easily\*; and hence

<sup>1</sup> Gross, *Gild Merchant*, II. 214.

<sup>2</sup> The town of Reading had been granted to the Abbey there, and it was decided  
 after much dispute that the Abbot might tallage the townsmen, when the king  
 levied a tallage on his tenants. Gross, *Gild Merchant*, II. 204.

<sup>3</sup> So in 1306 of those who held land within a royal forest. "If any of them  
 that be disafforested by the purlieu would rather be within the forest as they were

A.D. 1066 — 1272. the townsmen, like other landowners, were inclined to claim this position<sup>1</sup>. As far back as the time of the Confessor certain towns had been favoured, as the geld was demanded less frequently<sup>2</sup>, and so long as occasional taxation lasted it was desirable to be placed in the status of those from whom demands were least frequently made.

*Tolls.* There was also room for a great deal of adjustment in regard to the levying of dues. The town undertook to give a rent annually, and claimed to be free from the duty of paying the royal tolls; they would be able to levy octroi duties for the use of the town and defray their payments to the crown by the house rate. They would gain greatly as their trade increased; but they might also have considerable privileges in regard to paying tolls in other parts of the kingdom<sup>3</sup>. In the time of Henry I. the men of Beverley and of York were free from tolls throughout Yorkshire<sup>4</sup>: the men of London and all their goods were free throughout England and the ports of the sea, of toll and passage and lastage and all other customs<sup>5</sup>. The history of A.D. 1519. the Cinque Ports affords an instance of the assertion of this right in the time of Henry VIII. They had been free to buy and sell from the time of Edward I., that is to say, not only free from the obligation of paying dues at their own homes, but free from the obligation of paying them anywhere in the kingdom. A merchant who exercised this privilege with regard to some wool in Blackwell Hall<sup>6</sup> was forced to defend his rights in the matter, and the Cinque Ports established their position as free towns. As in other cases, this freedom meant that they had got rid of restrictions on their business,

before, than to be out of the forest as they be now, it pleaseth the king very well that they shall be received therunto, so that they may remain in their ancient estate, and shall have common and other easement, as well as they had before."

*Ordinance of Forest.* 33 Ed. I.

<sup>1</sup> On the other hand cases of claiming not to be of ancient domain and therefore not to be tallaged are given by Madox, *Firma Burgi*, 5.

<sup>2</sup> Exeter only paid geld when London, York and Winchester paid. *Domesday*, III. 80.

<sup>3</sup> In Davies, *History of Southampton*, 229, there is a list of all the towns which could legitimately claim this privilege.

<sup>4</sup> Stubbe, *Select Charters*, 110.

<sup>5</sup> *Ibid.* 108.

<sup>6</sup> Jeake, *Charters*, 8, note 1.

by undertaking some definite payment on obligation. In A.D. 1066 the case of the Cinque Ports they were specially bound to supply shipping for the defence of the realm<sup>1</sup>.

We need not wonder that the towns were jealous of any infraction of these dearly-bought privileges<sup>2</sup>, whether by unworthy burgesses, royal charters or unwarranted encroachments<sup>3</sup>. The burgess of a town which had obtained this full freedom both from royal and manorial control would have to make considerable payments towards the sum which was annually due to the crown, or the occasional taxes which were taken; but he would be assessed by his neighbours, and in this right he would find some protection from the sheriff who extorted money in the king's name and then applied it to his own uses. The new mode of levying the payments was less expensive because it was more direct; the burgess was at scot and lot and paid on his tenement; it was through his residence and the payments it involved that he earned the privileges he enjoyed. The whole policy of the towns as we read it in their records shows us how jealous they were of upland men and unfree men<sup>4</sup> who tried to enjoy the privileges of a burgess while they did not pay for them; and the strong measures which they took against those who connived at the cheat thus practised on their neighbours. The subsequent history of the towns and of the struggles against alien workmen in the fifteenth century, as well as against the new centres of industry which began to rival them in the sixteenth, only become intelligible when we keep the nature of municipal privileges and the cost of securing them carefully in view.

75. When attention has thus been given to the different matters in regard to which the townsmen would desire to be free from the interference of outside authorities, it remains for us to notice the steps which they took in organising self-government for themselves.

<sup>1</sup> Jeake, *Charters*, 25.

<sup>2</sup> They are clearly summarised in the case of Cambridge, *Rot. Hund.* n. 391.

<sup>3</sup> See the curious complaint of episcopal encroachments at Winchester. The bishop attracted the burghers to his own quarter, and his tenants were as free to buy and sell as the members of the gild merchant. *Archaeological Journal*, vii. 375.

<sup>4</sup> *Scottish Burgh Laws*, 5, 7, 88.

A.D. 1066 In the charters of Henry I. leave is given to many towns —1272. to form a hanse or *gild merchant*; in some cases this may have been the mere revival of the *enighten gilds*, such as had existed in pre-Norman times in Winchester<sup>1</sup>, Canterbury and London; thus in the charter to Dunwich we read that the townsmen were to have their gild merchant with a hanse and other customs and liberties pertaining to that gild<sup>2</sup>. But in many of the towns which were springing up in the twelfth century, there could have been no such forerunner of the later institution, and we find that they were granted a gild merchant with all the liberties and customs which are wont and ought to pertain to a gild of merchants<sup>3</sup>. The question of origin is of great interest for the history of each town; but the rights of these gilds, the legal status they possessed and the practical influence they exerted, are questions which may be discussed in the light of charters and legal records without any attempt to peer too closely into the darkness beyond<sup>4</sup>.

Regulation and immunity. The object of these associations appears to have been the regulation of trade. Free tenants of all sorts had indeed the right to buy and sell victuals in all English towns without paying toll<sup>5</sup>, but the members of the gild obtained a similar freedom in regard to goods of every kind, and as they paid for the privilege<sup>6</sup> they were careful to secure it for themselves exclusively. This exclusive right of dealing is what strikes one most forcibly in all the documents con-

Exclusive rights.

<sup>1</sup> Gross, *Gilda Mercatoria*, p. 24. Chenictehalla ubi chemicetes potabant gildam suam. *Domesday*, iii. 581, 583. This phrase is illustrated by the later ordinances of Winchester. Kant len purvoit bevere gilde markande, len doit per commun assent par les mestres de la ville enquere genz ke convenable soient et de bone fane a requiller en gilde markande. Gross, *Gild Merchant*, ii. 256.

<sup>2</sup> *Rot. Cart.* 211.

<sup>3</sup> Derby, *Rot. Cart.* 188.

<sup>4</sup> The charter of Edward I. to the Cinque Ports refers to charters of several kings from Edward the Confessor onwards granting liberty for their 'mercatum,' though if the barons failed to do justice there was an appeal to the warden. Jeake, *Charters of Cinque Ports*, 28. This may imply that they had a continuous self-government for commercial affairs from before the time of the Conquest. The mention in *Domesday* of a Gildhalla at Dover is interesting, though of course not in any way conclusive, as the Gildhalla may have belonged to a social and religious gild which had no mercantile functions. Gross, *Gilda Mercatoria*, 78.

<sup>5</sup> *Rot. Hund.* i. 356.

<sup>6</sup> Gross, *Antiquary*, 1885. *Rot. Oblatis*, 17, 19, 111, 228. Madox, *Exchequer*, 273.

nected with gilds; none but members were to buy and sell, <sup>A.D. 1066</sup> or at any rate the gild had such supervision over all buying <sup>—1272.</sup> and selling that those who infringed their privileges were liable to be fined by the gild<sup>1</sup>. But while their privileges *Privileges.* were thus exclusive they were also inclusive; the members of the gild had a right to claim to have a part with another member in a successful bargain<sup>2</sup>. If he fell into poverty he might count on their aid<sup>3</sup>, and if he was imprisoned<sup>4</sup>, or even unjustly accused<sup>5</sup> they would assist him. Through membership in a gild merchant the trader obtained a status which was recognised outside the limits of his own town; and each body of burgesses sought to obtain a 'most favoured gild' clause, and to have its members put on the same footing for purposes of trade, as those who carried on business to the most advantage<sup>6</sup>. In many cases the inhabitants of the town and the members of the gild were practically coextensive bodies, but Dr Gross has pointed out several instances where the townsmen were not all included in the gild merchant, and others where men who did not dwell in the town were admitted members of the gild merchant. Aliens might also be received into the full citizenship of a town, and thus be naturalised. When all Flemings were arrested in London, a certain Christin <sup>A.D. 1311.</sup> Lewebrere was imprisoned with the others, but the king ordered his discharge as he was claimed by the men of Lynn as their *comburgensis*<sup>7</sup>.

These gilds had their own laws, and courts in which civil causes might be determined; but it appears that mercantile business was more usually transacted in the ordinary burgh courts, in which questions connected with the terms of payment, and the recovery of debts could <sup>Recovery of debts,</sup>

<sup>1</sup> Gross, *Gild Merchant*, I. 44.

<sup>2</sup> This right of *gavel* is frequently mentioned in the customs of the Scotch municipalities, which present interesting analogies. *Statuta Gilde*, cc. 27, 41, 48. *Burgh Laws of Scotland*, 76, 88, 86. See also Worcester, *English Gilds*, 210. Sandwich, cf. Lyon, *Dover*, II. 299. Romney, op. cit. II. 338. Rye, op. cit. II. 366.

<sup>3</sup> *Statuta Gilde*, c. 14, op. cit. p. 70.

<sup>5</sup> *Statuta Gilde*, c. 15, op. cit. p. 70.

<sup>6</sup> "Et in scooto et loto cum predictis majore et communitate tamquam liber burgensis ejusdem villa existit et in eadem villa natus fuit." Delpit, *Collection*, xciv.

<sup>4</sup> *Southampton*, c. 11, Davies, 140.

A.D. 1066  
—1272. usually be settled<sup>1</sup>. When the gild increased in power and overshadowed the burgh authorities, it is not always possible to distinguish the precise capacity in which action was taken, and the later statutes of the Southampton Gild require that the Alderman should inquire into the ability of the members to meet their debts or serve as surety<sup>2</sup>. So long however as the gild merchant can be distinguished as merely an element in the municipal life, the main legal business appears to have been done by the ordinary courts, and the town itself (*communitas*) was the organ by which payments to or from the merchant of another place might be adjusted; it was by suing the community that the creditor could reach a defaulting debtor at a distance. Though membership of the gild was not necessary to enable the burgess to recover a debt from another town<sup>3</sup>, it is probable that the fact that he was admitted within this inner circle, gave any townsman a better commercial status<sup>4</sup>. He had a wealthy body behind him, so that he was a person of credit; his promise to pay, or his warrant for goods was worth more than that of the merchant who stood alone on his personal reputation for honesty, and whether he visited a distant town or a fair he could claim to be regarded as a person of status, who could give a sufficient reference in connexion with all transactions in which he was concerned.

through  
the gilds  
merchant.

When these two privileges, freedom from toll and the possession of commercial status, are taken together, we see what a valuable right the townsmen obtained when they

<sup>1</sup> The citizens of Chester had acquittances, releases, recognisances and their appurtenances and a pendice (court house) in which to hear them (Harland, *Mamecestre*, i. 190); those of Bristol were entitled to have all pleas about debts held in the town according to the custom of the town.

<sup>2</sup> Gross, *Gild Merchant*, ii. 219 (27).

<sup>3</sup> The recognised process is described in detail in the Romney Customal. Lyon, *Dover*, ii. 338. See also letters from Yarmouth, Blomefield, *Norfolk*, xi. 848. In whatever way it was managed under different circumstances, the providing a satisfactory machinery for the recovery of debts was a prime necessity for the growth of commerce at this time. The statute of Acton Burnel, like the Burgh Laws of Ipswich, shows the provision that was made in England for foreigners. The Mayor of the Staple was also entered recognisances of debt.

<sup>4</sup> In Dublin the members of the merchant gild were bound to settle their disputes by arbitration among themselves, and also to maintain a brother's cause if he was sued in another court. Gross, *Gild Merchant*, ii. 65, Helston, *Ibid.* ii. 108.

were allowed to have a hanse<sup>1</sup>, but there were direct advantages which accrued from belonging to such a trading association; they were by combination able to secure better terms<sup>2</sup>, each member was able to share in the fortunate transactions of others or of the whole body<sup>3</sup>, and they could count on getting assistance in case of misfortune<sup>4</sup>. There can be no wonder that the gild merchant was a widely diffused institution. Dr Gross gives a list of more than 150 towns in England and Wales, and most of them appear to have acquired the privilege in the twelfth or thirteenth centuries.

76. He has also worked out some very interesting facts *Affiliation*, as to the filial relation between various towns<sup>5</sup>, from which we can gather the importance men attached to the privilege of living under good customs<sup>6</sup>, as well as to that of freedom from tolls. The latter lay of course in the king's power, but the transmission of bodies of customs depended on the will of those who already enjoyed them, and the men of Hereford were not inclined to grant them gratuitously to townsmen who were only of servile condition<sup>7</sup>. The bond which bound the new

<sup>1</sup> Dr Gross explains that this term is used in three senses in England, (1) a gild, (2) the entrance fee, (3) a mercantile exaction.

<sup>2</sup> See Dublin, A.D. 1452. Gross, *Gild Merchant*, II. 67.

<sup>3</sup> Liverpool, 1565. Gross, *Gild Merchant*, II. 148. Southampton, c. 24 (op. cit. II. 219).

<sup>4</sup> Coventry, 1340. Gross, *Gild Merchant*, II. 50; Lynn, op. cit. II. 161. Southampton, c. 22, op. cit. II. 218.

<sup>5</sup> On the *Affiliation of Mediæval Boroughs* in *The Antiquary* for 1885.

<sup>6</sup> The men of Derby offered King John sixty marks for a charter like that of Nottingham, and the men of Gloucester not less than two hundred marks for the customs, laws and liberties of Winchester (*Antiquary*, 1885, p. 14). See also the case of John Gray, Bishop of Norwich. *Quia dominus Rex nobis per cartam suam concessit ut eligeremus Burgum in Anglia quicumque vellemus, ut easdem libertates quas Burgus ille habet, haberet et villa nostra de Len' et noe eligimus Oxenfordiam.* Mackerell, *King's Lynn*, 248.

<sup>7</sup> "The kings cittizens of Hereford who have the custodye of his city (in regard that it is the principall citye of all the market townes from the sea even unto the boundes of the Seaverne) ought of ancient usage to deliver theire lawes and customes to such townes when need requires, yet in this case they are in noe wise bound to do it, because they say they are not of the same condition; for there are some townes which hould of our Lord the Kinge of England and his heires without any meane Lord; and to such we are bound, when and as often as need shall be, to certifie of our lawes and customes, chiefly because we hold by one and the same tenure; and nothing shall be taken of them in the name of a reward, except only by our common towne clerke, for the wryting and his paynes as they can agree.

A.D. 1066  
—1272.  
and  
derived  
customs.

town to the parent from which its privileges were derived was so far recognised that advice was sought at the fountain head in disputes about any of the customs. Some towns on the Continent appear to have had coercive jurisdiction over those which were derived from them, but in England the appeal seems to have been merely consultative<sup>1</sup>. The Oxford men were to judge on recondite points at Bedford<sup>2</sup>, while they themselves obtained information from London as to the mode of holding pleas of land in the Husting<sup>3</sup>. It thus came about that while the history of each English town is distinct from that of others, the commercial law and practice of English towns in the twelfth and thirteenth centuries may be divided into two or three distinct types. The custom of London obtained over a very large area<sup>4</sup>, and was still more widely transmitted through Bristol and Oxford. The customs of Hereford dominated throughout Wales, and those of Winchester were current in the South West, and through transmission to Newcastle in Northumberland and Scotland. Smaller groups were attached to the custom of York, and of the Cinque Ports. The charters which granted a gild merchant not only gave valuable privileges to particular towns, but aided effectually in diffusing a similar body of commercial law throughout the country. The history of each town is distinct and the steps by which it obtained its

But there are other markett townes which hold of diverse lords of the kingdome, wherein are both natives and rusticks of auncient tyme, who paie to their lords corporall services of diverse kinds, with other services which are not used among us, and who may be expelled out of those townes by theire lords, and may not inhabit in them or be restored to theire former state, but by the common law of England. And chiefly those, and others that hold by such forreigne services in such townes, are not of our condition; neither shall they have our lawes and customes but by way of purchase, to be performed to our capitall baillif as they can agree between them, at the pleasure and to the benefitt of the citty aforesaid.<sup>5</sup> They gave a certificate of certain of their customs to Denbigh and Haverford West (Duncumb, *Hereford*, 1. 336), as well as to Cardiff (*Ibid.* 1. 338) when fines were paid.

<sup>1</sup> The case of the Cinque Ports and Great Yarmouth is exceptional; as the Yarmouth men did not derive their customs, but their very existence from the ports. Their town grew up on the site of the herring fair over which the Barons of the ports had jurisdiction. Blomefield, *Norfolk* (Parkin), ix. 297. Jeake, 12.

<sup>2</sup> *Placita de quo varanto*, p. 17.

<sup>3</sup> *Liber Albus*, 1. 181—4. For another case see Sharpe, *Wills*, p. vi.

<sup>4</sup> An interesting survival of the old municipal mode of government occurs in 1390, when the Commons prayed that the Custom of the City of London about usury might have statutable force through the realm. *Rot. Parl.* iii. 280, No. 24.

freedom were somewhat different in each case, but the A.D. 1066  
 privileges they obtained were very similar, and each town  
 which secured a gild merchant obtained a place in the circle  
 of inter-municipal commerce.

77. It is by no means easy however to state in general <sup>Municipal constitution</sup> terms the bearing of the establishment of a gild merchant on the growth of other constitutional privileges. It is of course clear that when a body of men were recognised as competent to regulate all matters of trade, they might more easily be trusted with the ordinary police of the town; the members of the gild merchant too would include the wealthy townsmen and those who were best able to undertake fiscal responsibility. Indirectly therefore the gild merchant <sup>and gilds merchant.</sup> may well have been an important factor in securing self-government in regard to petty offences, and self-assessment for the royal revenue; but the precise relations of any one gild merchant to the burgh authority in the same town cannot be so easily stated.

For one thing, as has been remarked above, the two bodies were not co-extensive; there might be burgesses in some towns who were not members of the gild, and there might also be members of the gild who were not burgesses. There would also be inhabitants in many towns, like the Jews and the Flemish weavers, who held directly from the crown and claimed to be independent of the gild. But there were great intervals between the times at which the various privileges were acquired. When Ipswich received a royal charter one of the first steps taken was that of forming a gild merchant<sup>1</sup>; in Leicester the townsmen had their own gild merchant long before they had escaped from predial service or manorial jurisdiction<sup>2</sup>. The case of London is most curious of all; <sup>London.</sup> that there had once been a gild merchant is at least suggested by the existence of the cnighten gild as well as by the fact that gilds merchant were found in towns that derived their customs from London. But there is little clear trace of a gild merchant in the great centre of English commerce<sup>3</sup>. The Mayor, an elected officer, with the sheriffs

<sup>1</sup> Marewether and Stephens, *Boroughs*, I. 894.

<sup>2</sup> Thompson, *Municipal History*, 88, 45.

<sup>3</sup> Reference occurs in a Ramsey charter to a gift of land de anglica chnicta gilda

A.D. 1066 became responsible for governing the whole city, and the —1272. separate jurisdiction of the barons in their wards was superseded; but mercantile business was done in the town court of the Husting, and not by a gild merchant.

*Yarmouth.* In other places the town grew up under the mercantile protection; this was specially the case at Yarmouth, where the Cinque Ports had managed the herring fair, and a town had gradually gathered beside the site where this great annual fair was held<sup>1</sup>. Even when this town had obtained complete municipal privileges—on the model of those of Oxford—the bailiffs of the Cinque Ports still took their part along with the men of Yarmouth in the management of the fair.

*Town officials.*

*Mayors.*

The precise relation in which the gild merchant stood towards the municipal constitution is a problem to be investigated separately in each single case; it was generally an important factor, but not always equally important. There are many distinct elements which are combined in each of the complex groups which we call a town; the mere analysis of the surviving officers<sup>2</sup> shows how complex each separate structure was. In some the agricultural element is strong; in some the old royal officer, the portreeve, maintained his position as head, through many changes<sup>3</sup>; in some a manorial officer, the bailiff, continued to hold sway; in others we find the freer constitution of a Norman type, or at least with Norman nomenclature, in which the mayor, who was a popularly elected official<sup>4</sup>, held the reins of government. In

quam ipsi anglici dederunt predicte ecclesie Sancte Trinitatis; this occurred about 1126. Round, *Ancient Charters* (Pipe Roll Society), 25. For the legendary history, together with other charters connected with this gild, see Stevens, *History of Abbeys*, II. 84; see also the Knithteafe, *Rot. Hund.* I. 413.

<sup>1</sup> As in the case of S. Ives. Maitland, *Select Pleas, Manorial*, I. 131.

<sup>2</sup> Gomme, *Index of Municipal Offices*.

<sup>3</sup> In the free town of Hull, the King's Warden was chief officer (Tickell's *Hull*, p. 11).

<sup>4</sup> In the 18th year of Henry III. the citizens of Lynn complained that the Bishop of Norwich had excommunicated them because they had created a mayor among themselves, and had taxed and tallaged themselves in the said burgh without his assent, and it was agreed between them in the said court that the bishop should grant for himself and his successors and his church of Norwich, that the said burgesses for the future may choose and create to themselves a mayor, whomsoever they pleased of their own body, to be presented to the bishop and admitted by him. Blomefield, *Norfolk* (Parkin), VIII. 490.

some cases perhaps the Alderman may be a representative of A.D. 1066 the important contribution made by gilds merchant to the progress of the towns, though this is at least uncertain<sup>1</sup>; but whether they left any permanent mark on official nomenclature or not, they certainly contributed in no small degree to the development of municipal constitutions. It may be worth while to add a couple of instances which serve to illustrate the manner in which the towns exercised their new powers of self-government.

There was an adequate reason for the vast amount of wooden houses and fires building which took place in the twelfth century, as wooden structures were so easily destroyed by fire; and it was specially desirable to substitute stone for timber houses in towns where the closely compacted dwellings rendered it easy for a fire to spread rapidly. At the same time the work of building could hardly have proceeded so rapidly as it did both in town and country if England had not been prospering economically. London had suffered greatly from a fire in the reign of Stephen which destroyed the Cathedral Church and spread from the Bridge as far as the Fleet; some persons then began to build in stone, and it was found that their houses not only served to protect themselves, but to stay the progress of any conflagration. In 1181 the citizens met and agreed on an *Assize*<sup>2</sup> which should both give facilities to those who wished to build, and might also appease "the contentions which sometimes arise among neighbours about boundaries made or to be made between their lands, so that such disputes might be settled according to that which was then provided and ordained." All sorts of points about boundary walls, with gutters for drainage and cesspools were decided, as well as matters that might give rise to dispute where one man owned a wall and his neighbours' buildings rested on corbels in that wall. The work did not proceed with such rapidity however as to prevent the outbreak of another fire on the 2nd of July 1212, by which London Bridge and very many of the houses of the nobles, as well as a large number

<sup>1</sup> Gross, *Gilda Mercatoria*, 72.

<sup>2</sup> *Liber de Antiquis Legibus* (Camden Soc.). Turner, *Domestic Architecture*, pp. 17, 275.

A.D. 1066 of men and women, were destroyed. The citizens met shortly afterwards and passed several ordinances for allaying disputes and purifying the city, as well as for protecting it against fire, 'with the help of God.' Besides containing other points of interest this document gives us an early instance of fixing a maximum for the wage of builders<sup>1</sup>; and it is instructive to compare the arrangements with the statute which was passed after the great fire in the time of Charles II.<sup>2</sup>

*Self-assessment.* The other duty of self-assessment was carried out by the burgesses of Colchester when they were called upon to pay their quota towards the seventh which was granted in 1295 to King Edward, as an aid for his war lately commenced against his enemies and the rebellious in France. With this object, sworn assessment was made by twelve burgesses of Colchester of the goods and chattels of every one who lived within the precincts. The inventory which was then made shows that Colchester had not yet emerged from the agricultural condition; there are comparatively few artisans or merchants, and their stock in trade was very small. A coal merchant had goods worth £6. 3s. 4d.; two tanners were reckoned at £7. 8s. 10d. and £8. 1s. 4d., a pepperer at 14s. 4d., a glove-maker at 30s. The tanning trade seems to have been the most common of all industries, but it is evident that a very large number of the inhabitants were engaged in tillage<sup>3</sup>.

Some light is thrown on the manner in which the taxes were levied from the citizens by the Winchester customs<sup>4</sup> which have been so much quoted, as well as by an early London<sup>5</sup> agreement. Three thousand marks is taken as the usual quota for the county of Middlesex and the proportion to be paid by different men, according to their wealth, is worked out, with a considerable desire to be fair, but not without difficulty in regard to the arithmetic<sup>6</sup> of vulgar fractions.

<sup>1</sup> Turner, *Domestic Architecture*, 281.

<sup>2</sup> 18 & 19 Charles II. c. 7.

<sup>3</sup> *Rot. Parl.* i. 228; see also 243.

<sup>4</sup> *Archaeological Journal*, ix. 78.

<sup>5</sup> Brit. Mus. Add. 14,252. See Appendix C.

<sup>6</sup> Medieval calculating was done with the help of an abacus. Ball, *Mathematics in Cambridge*, p. 2.

## VI. ROYAL, MUNICIPAL AND MANORIAL ECONOMY.

78. In the preceding sections it has been necessary to insist over and over again on the differences which marked out each town and each estate from every other. The manor was an economic unit, organised by itself; so too was each town. There was doubtless a common type, such as is given by the *Rectitudines*, or in the often quoted manor of East Greenwich, and other manors resembled this type more or less closely; there was a body of customs in London, which many other towns adopted, but each was an independent, separately organised, and separately administered body. The threads which bound them all together were their common relations to the crown, relations which were most clearly defined by proceedings in the Exchequer. The granting of charters and multiplication of privileges is marked by fines, and annual payments to the Exchequer; the stock on the manors and the moveables of the subjects were scheduled so that the owners might pay their taxes; the rights of the various tenants were questioned that the occasions and terms of payment might be properly known; and thus the whole details of the position and transactions of the various subjects are reflected in the records of the Exchequer. This is the way in which they become known to us, and it is from rolls originally drawn up with reference to fiscal obligations that by far the largest body of evidence in regard to manorial industry and municipal commerce has come down to us.

The influence of the Exchequer was all pervading, so that it was very important that it should be well organised and well administered; and we are fortunate in possessing a contemporary treatise which is devoted to this subject; the *Dialogus de Scaccario* is not only an interesting description of the method by which business was done, but it is a valuable account of the 'political economy' of the time, or at any rate of what corresponded to it.

The dialogue is usually, and with much probability,

A.D. 1066 ascribed to Richard Bishop of London, who as treasurer of  
 —1272. the Exchequer was intimately acquainted with its working, and it is pervaded by a fine sense of the responsibility of the duties in which he and his colleagues were engaged in administering the royal revenue. The royal riches, as he asserts, served to support the royal dignity, and the power of princes was raised by abundance and suffered by the want of it. This was specially the case in warfare, but attention to revenue was equally necessary for the maintenance of government in time of peace, the building of churches and the relief of the poor. Work of such importance as this, and which bore so directly on the maintenance of the civil power ordained by God, was, as the author maintains, no unfitting occupation for ecclesiastics. The personal responsibility of kings to God for the manner in which they exercised their office was generally recognised in mediæval writings on political subjects<sup>1</sup>, but the author passes on to insist on the necessity of care and trustworthiness on the part of the royal subordinates also; skill and probity were needed in every department of the work.

Here as in other matters we may feel a striking contrast between the ideal depicted and the actual practice of the royal officers of whose extortion we so often read; but after all, it is well worth while to cherish a high ideal, and those who fail to do so will never attain to an exalted standard of actual conduct. At all events it is characteristic of the time that finance should be treated as an important department of work to be honestly done, as a matter of duty; and not merely regarded from the point of view of expediency as to the convenience of raising and collecting the revenue in one way or in another.

As a matter of practice, a movement was steadily taking place in favour of having all obligations discharged in terms of money, and of rendering the money payments as definite as might be. The commutation of predial service for money on the royal estates, and of actual service for scutage,

<sup>1</sup> It was fully recognised by James I. (*Trew Law*, Works, p. 209), that the king was responsible to God for the good of the people committed to him; in arguing that he was not responsible to the people, he makes no claim to arbitrary authority. For the change in opinion on this point see Lilly, *Century*, ch. L.

rendered public burdens less inconvenient and less 'ex- A.D. 1066  
pensive' to the subjects and more profitable to the crown; —1272.  
by the substitution of fixed fines and regular customs for  
arbitrary dues and prises, they were made less 'uncertain.'  
Practical changes were being made in accordance with Adam  
Smith's maxims, but the matter was not thought out and  
formulated as yet. The chief matter of importance in the  
mind of the writer of the *Dialogus* was to explain a system  
by which payments legally due to the crown might be  
collected with as little malversation as possible. He pro-  
pounds no scheme for developing the resources of the realm,  
or increasing its power, or the well-being of the subjects;  
such ultimate objects lie beyond the scope of his work,  
because they lay beyond the purview of the men of his time;  
not till Edward had consolidated the realm was it possible to  
frame an economic policy. The *Dialogus* is simply concerned  
with the work of administration, and only alludes to the  
underlying political objects with the view of showing how  
necessary it was that the administration should be upright  
and skilful.

At the same time it is evident that the work which was  
thus described and discussed was worth doing well; it was a  
great thing to devise a good system of accounts for the  
finances of the realm. No one in the present day is likely  
to underrate the importance of keeping accurate accounts *Accounts.*  
in business of every kind, if for nothing else, as the chief  
means of removing temptations to dishonesty on the part of  
subordinates. Agriculture was much the most important  
industry in England, but so far as we know landowners did  
not attempt to keep accurate accounts in the eleventh  
century, and it is not till the thirteenth century that the  
practice became general. The organisation of the Exchequer  
was not only a reform in the management of royal finance,  
for it also gave an example of a mode of keeping accounts  
which was gradually copied by corporations and individuals  
for their own private affairs.

79.<sup>4</sup> From the records that survive it would appear that *Manorial  
documents.*  
in the ordinary manorial estate there were documents of  
three different kinds which were regularly kept. In so far

A.D. 1066 as these have survived for any manor, we are able to —1272. reconstruct a curiously complete picture of the condition of the estate, which is clear in its main outlines and accurate in the principal details, and we may be able to follow the changes that took place among the tenantry with perfect certainty.

*Extents.* The *Extents* or Survey of the Manor was the recorded result of a verdict given by a body of jurors chosen from among the tenants. This contained an account of the whole condition of the estate, the buildings belonging to it; the fields and stock on the domain, the pasturage, the amount of wood and the profits of the waste, the mills, fisheries and so forth. It also enumerated the free tenants and stated the terms of their tenure; the villans and cottagers, and their services<sup>1</sup>, as well as the patronage and other incidental rights belonging to the manor. Great portions of the *Hundred Rolls* practically consist of collections of such surveys, and the *Domesday Book* is a collection of abstracts of the sort of information in regard to each estate which was subsequently embodied in the *Extent*. It served as a great inventory of the manor and all that belonged to it or was attached to it, so that it enabled the landowner to see at once what his revenue in each year ought to be or what item had fallen short. The entries in the *Hundred Rolls* show us that at the end of this period, the process of substituting money payments for actual service had gone a long way. From the printed Extents in these Rolls it appears that at the end of the thirteenth century there were three different classes of tenants; those who had commuted all their services

<sup>1</sup> It is to be inquired also of customary tenants that is to wit how many there be, and how much land every of them holdeth, what works and customs he doth, and what the works and customs of every tenant be worth yearly, and how much rent of assize be paid yearly besides the works and customs, and which of them may be taxed at the will of the lord and which not.

It is also to be inquired of cottagers that is to say what cottages and curtilages they hold, and by what service, and how much they do pay by the year for all their cottages and curtilages. *Extenta Maneriæ* in the *Statutes of the Realm*, usually assigned to 4 Ed. I. It is practically embodied in *Fleta*, II. 79 in connexion with the duties of the Seneschallus. It forms the basis of Fitzherbert's *Surveying* which was published in 1523 and takes the form of a commentary on the separate clauses of this statute.

for a definite money rent<sup>1</sup>; those who paid either actual service or gave the value of the services in money according as the lord preferred<sup>2</sup>, and those who still performed their obligations either in whole or in part in the form of actual service<sup>3</sup>. The intermediate class whose services were valued in money, would undoubtedly be often called to pay in money, as when an accurate method of keeping accounts was once devised it was far easier to collect the manorial dues once for all in coin, than to ensure that the various services, of week work and boon work, and the various payments of seed, fowls or eggs were properly and honestly discharged.

However the obligations were discharged, it was desirable that the lord should know what his estate with its stock was worth, and this information recorded in writing is given in the Extent<sup>4</sup>. The Domesday entries, which may be taken as early and previously unwritten Extents, embrace details about the goods and stock which would in the thirteenth

<sup>1</sup> Reddens pro omnibus operationibus et serviciis quae antecessores sui facere solebant. *Rot. Hund.* II. 686.

<sup>2</sup> Debet xxs. vel opera ad valorem. *Rot. Hund.* II. 824.

<sup>3</sup> In some cases where the services are specified they are also estimated in terms of money. Et dictis precarie &c. appreciantur ad xvd. *Rot. Hund.* II. 494. Some light is thrown on these entries by information which Prof. Maitland has derived from the rolls of Cambridgeshire manors. The Wilburton Series is very complete, and shows that in the time of Edward II. it was the practice to sell a considerable number of the 'opera' in each year to persons who were bound to do them, but the number of 'opera vendita' varies from year to year and rarely if ever exceeds half of the total number of 'opera' that are due; the reeve and bailiff had to account for the 'opera' not 'vendita,' and show they were actually done. On the other hand there are instances of villains paying fines in order to live at regular money rents; the following entry from 16 Ed. II. is typical of many others. *Johannes Albin de Littleport fecit finem cum domino pro omnibus operibus suis et arruris preventiibus de j plena terra* (i.e. 12 acres) *et de dnabus dimidiis terris que tenet de bondagio domini its tamen quod ipse reddit omnem redditum assimil et non dabit gallinam, nec erit in serviciis domini et pro ista arrentacione dat domino per annum xxx solidos.*

<sup>4</sup> It is obvious however that the main elements in the Extent would be matter of common knowledge, which might be perpetuated by tradition for generations without being reduced to writing. This occurred in some parts of the Deccan where the collectors of the Land Revenue held hereditary posts and collected the Nizam's income by hereditary knowledge of the quota due from different persons. Sir Salar Jung, suspecting some of these men of dishonesty, replaced them by strangers, to the serious loss of the revenue as the new men had no knowledge, and could not obtain any, of the obligations in the way of land revenue under which the different parties were living: this is a present-day instance of an unwritten Extent.

A.D. 1066  
—1272.  
Invent-  
ories. century have been found not in the Extent but in the *Inventory*; this enumerates the pigs and the poultry, as well as the kitchen and dairy utensils, and the furniture of the Hall. In the Cambridge University Library<sup>1</sup> there is a tract giving instructions as to the taking of such an inventory, and containing a sort of schedule of the things which would have to be entered, in a typical manor; it is in a fourteenth century hand-writing, and does not give us an impression of a very sumptuous household, even though the Hall contained various tressels for putting up tables and "unum scaccarium cum familia." We may say that the later Extents and Inventories, taken together, are the fully developed forms of the brief summaries of the value of estates which we find in *Domesday Book*. The annual value is estimated, but they record the actual condition of the whole live and dead stock on the estate, together with all the pecuniary rights which the lord enjoyed, and thus give us the component parts of what we should in modern times call the lord's capital.

Minister's  
accounts. The annual income which accrued from the estate may be seen by examining the accounts (*comptus*). Just as *Domesday* gives us the type of the manorial extents, so the records and description of the royal Exchequer, and especially the *Great Roll of the Pipe*, which records the payments made by the various sheriffs, show us the model from which manorial book-keeping was probably derived.

Book-  
keeping. Some knowledge of the vast mass of *comptus* rolls which survive and of the information which can be drawn from them has been rendered generally available by the great work of Professor Thorold Rogers. At present however we are less concerned with the evidence they furnish as to the history of the times, than with the pains that were taken to acquire skill in this particular branch of estate management. In the Cambridge University Library there are two interesting forms for bailiff's accounts, with brief remarks on the way in which they should be kept; so far as the substance goes they are practically identical, but they are distinct. One, which dates from the time of

<sup>1</sup> *Dd.* vii. 6.

Edward I.<sup>1</sup>, has special reference to the audit; it is intended <sup>A.D. 1066</sup>—<sub>1272</sub> to help the lord to understand the accounts presented and tells him to insist on seeing all the tallies and letters of quittance produced. The other<sup>2</sup> is meant to assist the bailiff in writing the accounts, and tells him in what order the various items should be entered; it gives him a choice of two alternative modes of entering the horses; and the copyist confesses that by a stupid blunder he has entered the heifers in the wrong place. It also points out that certain headings should be inscribed in the margin; and of course concludes with the form of quittance by which the accounts were passed.

There must have been many matters which were not *Services*. necessarily passed through the accounts at all; where villans rendered actual service this did not always appear. The bailiff had to get the men to do the work; if they failed to do it, the *præpositus*, their own official, had to see to the matter, as they were collectively responsible to the lord for work and for rents<sup>3</sup>; but *opera* would not necessarily pass through the accounts of money, though the actual services are often accounted for on the back of the roll. At the same time there are in many compotus rolls incidental allusions which indicate that when they were compiled actual services were being exacted. The entries of *opera vendita* show us the sums received for commutation in that year, but this form of entry seems to imply that it was only a temporary arrangement and not a regular rent<sup>4</sup>. In some cases the bailiff accounts in the last entry on the back of the roll for the services which were not *vendita* that year, and shows that the full balance had been rendered<sup>5</sup>. In other instances the accounts of the corn used prove that the customary tenants did their work and received their rations even when there is no other hint of actual service, and in others there are incidental memoranda which allude to the matter<sup>6</sup>.

<sup>1</sup> *Ee.* i. 1.

<sup>2</sup> *Dd.* vii. 6.

<sup>3</sup> See Appendix B.

<sup>4</sup> Compare Compotus Roll, Symondshire, Herts (1826), British Museum Add. Charters, 28,737.

<sup>5</sup> Mapledurham (1440), British Museum Add. Charters, 27,656. Wilsford, Hampshire (1447), British Museum Add. Charters, 27,679.

<sup>6</sup> Chedyngston Common (1476), British Museum Add. Charters, 27,812.

A.D. 1066

—1272.

*Court rolls.*

The third important series of documents consists of the *Court Rolls* which give us the records of the proceedings in the manorial courts, and enable us to follow the history of the tenantry; we can trace changes in the persons who occupied the different holdings and changes in the terms at which they lived. The Court Leet generally had the view of Frank-pledge and was called upon to inquire into many matters of crime and police<sup>1</sup>; the chief interest for economic matters, however, lies in the fact that these courts enforced fair dealing, as in regard to the assize of bread, and weights and measures. The records of manorial courts also note that new tenants were admitted, or the desertion of villans was recorded. These rolls furnish evidence of a very valuable character in regard to the population of each village and are of special importance in trying to estimate the effect of the Black Death.

*Manorial officers.**Senes-  
calcia.*

80. From the consideration of the nature of the books on the estate, we may pass to the question of the officials who administered it. The business of a manor was very elaborate and a great deal of supervision was necessary in order to ensure good management; but if an estate consisted of several manors on which different customs were in vogue, as to measures, weights and so forth, the whole affair became far more complicated. The various officers on a large estate consisting of many manors are described in a tract entitled *Senescalcia*. It inculcates a high ideal of duty from the lord and each of his subordinates, and it is not perhaps fanciful to urge that in the plan the author has adopted of describing the working of a manorial estate by enumerating the duties of the various officers there is a sort of reminiscence of the *Dialogus de Scaccario*. The Seneschal, Bailiff and *Præpositus* are treated at considerable length; the Seneschal was to visit the manors in turn and see that the bailiff of each estate did his duty; he had therefore to know the 'extent' and the customs of each estate, so as to be able to overhaul the management. He acted on behalf of the lord, but he had to show the special warrant of the lord in removing

<sup>1</sup> View of Frank-pledge in *Statutes of Realm* assigned to 17 Ed. II. See also Kitchin, *Jurisdictions*.

a bailiff or exercising his authority. The bailiff as the lord's <sup>A.D. 1066</sup> <sub>1272</sub> officer and the *præpositus* as that of the *villans*, had the chief responsibility in the actual cultivation of the soil; the *hayward* was a subordinate officer who was always present to superintend whatever work was going on; and the respective duties of the *carters*, *ploughman*, *swineherd*, *shepherd*, *cowherd* and *dairymaid* need not detain us.

81. Such was the complicated mechanism—the books *Treatises on estate-management*—and accounts and officials—by which the management of a thirteenth century estate was carried on. It remains to notice three treatises which deal not with any one side of the matter, but with estate-management as a whole; the one of these is associated with the name of Sir Walter of Henley, another with that of Robert Grossteste, but the author of the third is unknown.

Of Sir Walter of Henley nothing is known beyond the statement in a Cambridge MS. that he was originally a 'chevalier' and afterwards became a Dominican Friar<sup>1</sup>; there can be little doubt that he wrote in the thirteenth century. Internal evidence goes to show that he was a very shrewd individual, and the quaint English and French proverbs which he was fond of quoting give point to his remarks. His book takes the form of advice given by an old man to his grandson as to prudence in the management of affairs; it is by little and little that people become rich, and by little and little they fall into poverty, and hence it was important for the lord to know all about his estate himself. His treatise is entitled *Husbandry*, or as the Merton MS. adds *Economy*, husbanding his resources; but as tillage was the main means of income it is also a treatise on farming both arable and pasture. Written in French it seems to have been an extraordinarily popular work and deservedly so; there is a number of MSS. which still survive<sup>2</sup>; the work was translated both into English<sup>3</sup> and Latin<sup>4</sup> in the latter part of the

<sup>1</sup> *Dd. vii. 6.*

<sup>2</sup> London, Guildhall, *Liber Horn*; Brit. Mus. *Add. 6159, Lansdowne*, 1176; Paris, Bib. Nat., 7011, 8, 8; Cambridge, Univ. Lib., *Dd. vii. 6, Dd. vii. 14, Dd. xi. 38, Ee. i. 1, Ha. iii. 11*; Trin. Coll., *O. 9. 28*; Oxford, Bodleian, *Douce*, 98, Merton, ccxxi.

<sup>3</sup> London, Brit. Mus., *Sloane*; Camb. Univ. Library, unique copy printed by Wynkyn de Worde; the translation was mistakenly attributed to Grossteste.

<sup>4</sup> Oxford, Bodleian, *Digby*, 147.

**A.D. 1066** **—1272.** fourteenth century. It appears to have held its ground as the best book on the subject, till Fitzherbert published the results of his forty years experience as a practical farmer in 1523. It was obviously intended to convey such information on rural affairs that the lord should be able to exercise a more effective supervision over his servants, and see that they did not cheat him. In some points it is hardly so full as an anonymous treatise on *Husbandry*<sup>1</sup> which was probably written about the same time or somewhat earlier, and which must have been specially useful to landowners who were beginning to have accounts presented in writing. It lays down the method to be pursued in drawing up the account; this was to be done by a clerk; at the beginning comes a statement of the bailiff's arrears from past years; then the receipts are to be entered, rents of assize and other things which yield money, and the total is to be given; next comes the outlay in money on materials and all necessaries not found on the estate, and the payment of all work which could be neither begged nor commanded. The treatise then proceeds to lay down rules by which the outlay on the estate for materials and labour may be as small as possible; none are to be paid for unless it is necessary, but estimates are given to form a guide in cases where the resources of the estate and the labour of the tenants did not suffice, so that money had to be paid; there are also other estimates of the probable returns from land and stock.

**Grossteste.** The third of these treatises has an interest of its own, as it is the work of a well-known author, and it contains information as to the circumstances under which it was compiled. It is less detailed than the work of Walter of Henley but it embraces many topics on which he did not touch. The treatise entitled the *Reules Seynt Robert* was written by Grossteste for a particular person, the countess of Lincoln, and consists of 28 practical maxims to guide her in the management not only of her estate but also of her household. Margaret, Countess of Lincoln, was left a widow in 1240, and had the manors of 'Ingoldemers, Throseby, Houton

<sup>1</sup> Cambridge, University Lib. *Hk.* iii. 11; S. John's College, muniments; Oxford, Merton College, cccxi.; London, Brit. Mus. *Add.* 6159; Paris, Bib. Nat. 7011, 8, 8.

and Seggebrock' assigned by the king for her maintenance, A.D. 1066 until her dowry out of her late husband's land should be set forth. In 1242 she consoled herself, and found a natural protector for her property, by marrying Walter Marshall, Earl of Pembroke. Grossteste's rules must have been written therefore in 1240 or 1241; he was probably a friend of some standing, as he had been Archdeacon of Chester when her first husband was constable of Chester, and her uncle Ranulph was in possession of the Earldom<sup>1</sup>.

As the treatise was written for a lady, directions for the cultivation of the ground and the maintenance of live-stock were not thought necessary, and supervision on these matters was left to the seneschal. The countess was not however to trust everything to him entirely. She was to know what her estates were worth and what income they could yield so that she might arrange her expenses according to that income. The rules are most detailed on points of domestic arrangement, and most of them are concerned with the household rather than the estate. As "the good Bishop" holds up his own establishment as a model, we have in the treatise an interesting picture of the arrangement and management of a large establishment in the middle ages.

The rules lay down that servants and retainers are to be *Household*. of good character, faithful, painstaking and so forth, they are to do what they are bid immediately without any grumbling or contradiction; if they show any such disloyal spirit they must be dismissed, for many can be had to fill their places. The household is to be quiet and orderly, and guests secular or religious are to be courteously received and served. The *Reules* also advise as to providing food. The countess must know exactly the available supplies, and then, when the necessary quantity of corn has been subtracted for seed and the payment of servants, the remainder can be converted into bread and ale. With bread and ale and meat and cheese, which was a standing dish at supper, the actual needs of the household were supplied from the estate; luxuries had to be bought at the various fairs of the country, that of S. Ives being specially recommended for clothes. The regu-

<sup>1</sup> Pegge, *Life of Grossteste*, 95.

A.D. 1066—1272. lations of meals, even to the setting of the dishes and the way the servants are to walk when they approach the table, are minute, but they have more bearing on questions of etiquette than of economy. 1

*Municipal economy.* 82. There are, so far as I have seen, no special treatises on the right management of municipal affairs, such as those which were compiled for the use of thirteenth century landowners and their bailiffs; mediæval ideas of political right and political duty are excellently reflected in the fourteenth century treatise on Money which is printed in the Appendix<sup>1</sup>. The *Opusculum de regimine principum* attributed to S. Thomas Aquinas contains a few remarks on the choice of a situation for a city and the respective advantages of agriculture and commerce as sources of supply: he refers to the *Politics*, but disparages mercantile life in a way that recalls Plato<sup>2</sup> rather than Aristotle<sup>3</sup>. In any case the remarks of Aquinas are somewhat *doctrinaire*<sup>4</sup>—an attempt at adapting ancient authors, rather than a genuine expression of the spirit of the age in which he

<sup>1</sup> See below, App. E.

<sup>2</sup> *Laws*, iv. 1.

<sup>3</sup> *Politics*, iv. (vii.), 6.

<sup>4</sup> Oportet autem ut locus construenda urbi electus non solum talis sit qui salubritate habitabiles conservet, sed ubertate ad victimum sufficiat. Non enim est possibile multititudinem hominum habitare ubi victualium non suppetit copia. Unde, ut vult Philosophus, cum Xenocrates architector peritissimus Alexandro Macedoni demonstraret in quodam monte civitatem egregiae formæ construi posse, interrogasse fertur Alexander, si essent agri qui civitati possent frumentorum copiam ministrare. Quod cum deficere inveniret, respondit vituperandum esse, si quis in tali loco civitatem construeret. Sicut enim natus infans non potest ali sine nutricia lacte, nec ad incrementum perduci; sic civitas sine ciborum abundantia frequentiam populi habere non potest. Duo tamen sunt modi quibus alicui civitati potest affluentia rerum suppetere. Unus, qui dictus est, propter regionis fertilitatem abunde omnia producentis quæ humanæ vitæ requirit necessitas. Alius autem per mercationis usum, ex quo ibidem necessaria vitæ ex diversis partibus adducantur. Primus autem modus convenientior esse manifeste convincitur. Tanto enim aliquid dignius est, quanto per se sufficientius invenitur, quia quod alio indiget, deficiens esse monstratur. Sufficientiam autem plenius possidet civitas cui circumiacens regio sufficiens est ad necessaria vitæ, quam illa quæ indiget ab aliis per mercationem accipere. Dignior enim est civitas, si abundantiam rerum habeat ex territorio proprio, quam si per mercatores abundet. Cum hoc etiam videtur esse securius, quia propter bellorum eventus, et diversa viarum discrimina, de facili potest impediri victualium deportatio, et sic civitas per defectum victualium opprimetur. Est etiam hoc utilius ad conversationem civilem. Nam civitas quæ ad sui sustentationem mercationum multitudinem indiget, necesse est ut continuum extraneorum convictum patiatur. Extraneorum autem conversatio corrumpt plurimum civium mores, secundum Aristotelis doctrinam in sua *Politica*: quia necesse est evenire ut homines extranei

lived and which saw so many towns spring up as centres A.D. 1066 of commerce. Our knowledge of municipal life is dependent not on treatises which describe how it ought to be carried on, but on the records which show what actually took place in this town or that. Reference has already been made to the Court Leet at Manchester, and the strange variety of work which it undertook; we can look at the whole business of the town, the machinery by which it was conducted, and the maxims which governed it, as they are reflected in the proceedings of these courts, and the customs they enforced.

Since the principal evidence is of a special type, we ought *Com-munal prosperity.* to look a little more closely at the nature of the sources from which it is derived in case it should give us a one-sided representation of the life and thought of the day. So far as the burgh authorities had an economic policy, they desired to promote *communal* prosperity; national prosperity was beyond their purview, individual prosperity was only of interest to them, in their official capacity, as it subserved the prosperity of the town. Their economic regulation was

aliis legibus et consuetudinibus enutriti, in multis aliter agant quam sint civium mores; et sic dum cives exemplo ad agenda similia provocantur, civilis conversatio perturbatur. Rursus si cives ipsi mercationibus fuerint dediti, pandetur pluribus vitiis aditus. Nam cum negotiatorum studium maxime ad lucrum tendat, per negotiationis usum cupiditas in cordibus civium traducitur, ex quo convenit ut in civitate omnia fiant venalia, et fide subtracta locus fraudibus aperitur, publicoque bono contempto proprio commodo quisque deservet, deficietque virtutis studium, dum honor virtutis premium omnibus deferetur: unde necesse erit in tali civitate civilem conversationem corrumpi. Est etiam negotiationis usus contrarius quam plurimum exercitio militari. Negotiatores enim dum umbram colunt, a laboribus vacant, et dum frauntrur delictis, mollescent animo, et corpora redduntur debilia, et ad labores militares inepta: unde secundum jura civilia negotiatio est militibus interdicta. Denique civitas illa solet esse magis pacifica cuius populus rarius congregatur, minusque intra urbis moenia residet. Ex frequenti enim hominum concursu datur occasio litibus, et seditionibus materia ministratur. Unde secundum Aristotelis doctrinam utilius est quidem quod populus extra civitates exerceatur, quam quod intra civitatis moenia jugiter commoretur. Si autem civitas sit mercationibus dedita, maxime necesse est ut intra urbem cives resideant, ibique mercationes exerceant. Melius igitur est quod civitati victualium copia suppetat ex propriis agris, quam quod civitas sit totaliter negotiationi exposita. Nec tamen negotiatores omnino a civitate oportet excludi, quia non de facili potest inventari locus qui sic omnibus vita necessariis abundet quod non indigeat aliquibus aliunde allatis; eorumque quae in eodem loco superabundant, eodem modo reddetur multis damnose copia, si per mercatorum officium ad alia loca transferri non possent. Unde oportet quod perfecta civitas moderate mercatoribus utatur. *De reg. princ. II. 8.*

A.D. 1066 chiefly intended to develop the trade of the burghesses so  
 —1272. that they might be able to pay their dues; in this respect their schemes of policy were narrower than those of the mercantilists, who aimed at the development of national resources, and less personal than those of modern writers, who urge that it is practically wise to allow to each individual the greatest possible scope for accumulating wealth. But because the communal interest comes to the front, we need not idealise the characters of the merchants of the day, and suppose that they were entirely guided in all their transactions by impersonal sentiments.

*Fair dealing.* So far as the affairs of individual workers or dealers came before the courts they of course tried to do what was fair between man and man; and in their customs we find the record of their practical wisdom and experience. They had not necessarily a very high ideal of Christian duty, and their gilds merchant do not appear to have had the religious side of life very markedly developed<sup>1</sup>; but they felt that 'honourable thing was convenient' for the men of the town, and they tried to enforce what was fair as to a day's work and a day's pay, and to secure that transactions should be conducted on *reasonable* terms,—that the buyer should pay a reasonable sum for an article on which the seller made a reasonable profit. But we must again remember that, though the courts and their customs embodied this view, it was not necessarily the line taken by each individual tradesman. The mediæval craftsman would scamp his work, and the mediæval merchant try to pass off inferior articles at high prices, but we only hear of him when he was found out. The ordinances of gilds and regulations of towns set a standard to which the honest citizen would wish to conform, so that he might hold an honourable place in the town; the rules would thus affect personal morality favourably. But if all men had lived up

<sup>1</sup> Nor the charitable side either: the Scotch burghs were more careful to protect the towns against infection from leprosy than to provide, as a body, for the maintenance of the lepers. The leper who persisted in entering the town was to have his clothes burnt, and to be "thrust forth naked." *Statuta Gilde*, c. 18. *Burgh Laws of Scotland*, p. 72.

In several towns careful arrangements were made for the protection of orphans and their property; London (Sharpe, *Wills*, xlvi.), Dover (Lyon, *Dover*, ii. 276), Sandwich (*Ibid.* ii. 805).

to a high ideal, and done their work in the best way from A.D. 1066 mere love of it, there would have been no need of either <sup>—1273.</sup> craft gilds or ordinances to keep them up to the mark.

There are several distinct types of document which amply illustrate the current practice of the municipal courts.

i. With reference to the discharge of communal obligations to the Crown, we have a scheme for the assessment of the citizens in London, when the king took three thousand marks from the county of Middlesex<sup>1</sup>, and various inventories of goods which were made in connexion with a levy of a fifteenth or tenth on moveables. But we have also records of the struggle to prevent foreigners (whether aliens or not) from competing injuriously with the burgesses. Reference has already been made on this point to London customs which purport to date from the reign of Edward the Confessor; and the same policy continued through the middle ages till the Tudor time, when this exclusive municipal life was absorbed in the wider economy of the nation. Foreigners were not to sell by retail, and they were not to sell goods to one another, because such business could be done by burgesses, and those who paid rates believed they were fairly entitled to be protected from injurious competition in their regular callings. Still more strongly did they reprehend the conduct of the burgess who was disloyal to his own town, and entered into arrangements with foreigners, which made for his private profit and that of an unfree partner but were opposed, in spirit at all events, to the policy pursued by the town authorities in the interest of the community under their charge.

At the same time the townsmen were fully aware that they would prosper better if their burgh was frequented by foreign merchants who used it as a centre for wholesale import trade, and purchased products for export. With this object they provided the stranger with facilities for recovering his debts; and the letters which passed between different towns gave rise to a very elaborate system of inter-municipal communication in regard to debts. We are also able to learn something of the means by which these debts were discharged; letters of credit were in common use, and bills

<sup>1</sup> Appendix C.

A.D. 1066 of exchange passed between the Italian bankers and their correspondents, in the thirteenth century. Just as we have found that the twelfth and thirteenth centuries were marked by improvements in the keeping of accounts, and that the practice was introduced on many estates, so we may say that the same period gives us early examples of the use of instruments of credit<sup>1</sup>. The debts due to Gascon merchants by Londoners were registered<sup>2</sup>; and on one occasion the city was used by Edward I. to conduct a great fiscal operation and to pay to knights in Gascony the sum of £1049. 13s. 11d.<sup>3</sup>, for which they were reimbursed by the sheriff out of the fermes of the city and the county of Middlesex.

A.D. 1299.

ii. In the attempt to do the fair thing between man and man, many regulations were framed on matters which we now allow to take their own course. At the same time there is an obvious advantage in thinking out the fair price and settling it, where this can be done. There is a distinct advantage in having an authoritative tariff as to the reasonable cab fare, and the maintenance of regulations in regard to those vehicles does not in all probability interfere with the prosperity of the trade; so long as the regulations are wise, they subserve the comfort of the public and the good of the trade. In the circumstances of mediæval commerce, when there were comparatively slight fluctuations in the conditions for the supply of manufactured goods, and labour was such a very important element in the cost of production, it was almost as easy to frame similar regulations for reasonable transaction in trades of all sorts, as it is to fix rates for cab-hire in the present day.

Corn.

There were of course varieties of season, and the food supply was necessarily drawn from a comparatively limited area, so that a local scarcity would affect prices more than it does in the present day. The price of corn was necessarily left to be settled by competition, and all that could be done was to try and ensure that this competition should be public, and that there should be no attempts to make a profit by

<sup>1</sup> For specimens see E. A. Bond in *Archæologia*, xxviii. 207—320. Endemann, *Studien*, i. 82.

<sup>2</sup> Delpit, *Collection*, No. xviii.

<sup>3</sup> *Ibid.* No. LVI.

speculative transactions or by creating an artificial scarcity : A.D. 1066  
 prohibitions of engrossing, and retailing had this object in  
 view. Common folk had a strong suspicion that the man who  
 was able to secure a monopoly by engrossing or by buying  
 up the available supply of any article, would retail on terms  
 that were to his own profit but not to the advantage of the  
 community. But when the price of corn had adjusted itself  
 by 'the higgling of the market,' a sliding scale could be used  
 to adjust the price of bread, so that the baker might recoup  
 his expenses and get a fair profit, while the public would be  
 supplied at rates which were not excessive. This sliding  
 scale was known as the *Assize of Bread*; it was certainly  
 framed in the time of Henry II., but this need not have been  
 the first attempt at formulating it.

When the price of food was thus known it was possible  
 and 'reasonable' to assign rates of wages; in the time of *Wages*.  
 Henry II. wages were apparently intended to vary along  
 with the price of bread, and in and after the time of Elizabeth  
 this scheme was carried out with more or less success by the  
 justices of the peace; at other times the authorities were  
 content with fixing a maximum rate. When the whole  
 attempt was finally abandoned at the beginning of the A.D. 1813.  
 present century, the crying necessity was the enactment of  
 a minimum rate below which wages should not be allowed to  
 fall<sup>1</sup>; but it was generally feared that the attempt to enforce  
 such a standard was impracticable, and that if successful it  
 would so limit the field of employment as to cause increased  
 misery.

Some attempt was also made at enforcing a standard of  
 quality in the goods exposed for sale; we read of an *assize* A.D. 1197.  
 of cloth in the time of Richard I.<sup>2</sup> This might have been  
 devised with a view to the protection of the purchasers of  
 imported<sup>3</sup> cloth, but it would also serve as a standard for the  
 weavers, as the manufacture was gradually developed in  
 England and Wales<sup>4</sup>.

<sup>1</sup> *Parliamentary History*, xxxiv. 1428.

<sup>2</sup> Roger of Hoveden, iv. 88.

<sup>3</sup> As in 1328. 2 E. III. c. 14.

<sup>4</sup> In the Winchester usages, as recorded in the thirteenth century, it is insisted  
 that the cloth should be made of a length and breadth "according to the old assize  
 of the mistry." *Archaeological Journal*, ix. 70.

A.D. 1066  
—1272.  
*Christian duty.* 83. The municipal courts enforced what was fair as a matter of policy; but there was another authority which dealt with what was right and wrong as a matter of Christian duty. The discipline of penance, and the canons which were enforced in the ecclesiastical courts were framed, not with reference to burghal prosperity, but in the hope of detecting and suppressing the greed of gain. In earlier times there had been very sweeping condemnations which would have included almost every kind of trading<sup>1</sup>: but it was obviously impossible to enforce such prohibitions. Even though it might be admitted that the merchant's life was one of many temptations, since there were so many opportunities of fraud, it by no means followed that he always yielded to them. The difficulty became more pressing in the twelfth and thirteenth centuries, when trade was generally extending; and if the evils were really to be met, it could only be done by finding the inner grounds<sup>2</sup> of the prohibition, and applying it equitably according to the different circumstances of different cases. The question of buying and selling was one of the greatest practical importance, and deserves consideration first of all: and we find that in the thirteenth century reflection had gone so far on this matter that it had been possible to formulate a doctrine of price.

*Object of the modern and mediæval doctrines contrasted.*

Modern theory assumes that in buying and selling each man will do what is most to his own private advantage, and thus explains how the prices of different classes of goods tend to be determined on this assumption: it merely attempts to give an explanation of actual practice. But the mediæval doctrine of price was not a theory intended to explain the phenomena of society, but it was laid down as the basis of rules which should control the conduct of society and of individuals. At the same time current opinion seems to have been so fully formed in accordance with it that a brief

<sup>1</sup> *Quicumque tempore messis vel vindemiae non necessitate sed propter cupiditatem compararet annonam vel vinum, verbi gratia de duobus denariis compararet unum modium, et servat, usque dum vendatur, denariis quatuor, aut sex, aut amplius, hoc turpe merum dicimus. Codex Legis Canonici, 9, C. 14, q. 4.* See also c. 1, C. 14, q. 8, and c. 8, C. 14, q. 8.

<sup>2</sup> Neumann, *Geschichte des Wuchers*, p. 15.

examination of the doctrine of a just price will serve to set A.D. 1066  
the practice of the day in clearer light. —1272.

In regard to other matters it is difficult to determine how far public opinion was swayed by practical experience, and how far it was really moulded by Christian teaching—this is the case in regard to usury. But there can be little doubt about the doctrine of price; the whole conception of a just price appears to be purely Christian<sup>1</sup>; it is unknown to the Civil Law<sup>2</sup>, and had as little place in Jewish habits as it has in modern society; but it really underlies a great deal of commercial and gild regulation and it is constantly implied in the early legislation on mercantile affairs.

S. Thomas Aquinas, whose treatment of the subject is *Aquinas*. classical, assumed that everything has a just price,—that there is some amount of money for which it is right that the owner of the ware should exchange it. He does not discuss the conditions on which this depends; as it is of more practical importance that we should understand how the just price of anything is to be known. The just price is not an arbitrary demand; as an extortionate dealer may obtain an absurd price when he sees that he can drive a hard bargain; or a man in need may be willing to part with some heirloom for a mere trifle: for in the one case there is unfair gain, in the other a real sacrifice. The just price is known by the common estimation of what the thing is worth; it is known *Common estimation.* by public opinion as to what it is right to give for that article, under ordinary circumstances.

So far we have a parallel with modern doctrine; the mediæval 'just price' was an abstract conception of what is right under ordinary circumstances,—it was admittedly vague, but it was interpreted by common estimation. Modern doctrine starts with a 'normal' value which is 'natural' in a regime of free competition; this too is a purely abstract conception, and in order to apply it we must look at common estimation as it is shown in the prices actually paid over a period when there was no disturbing cause.

<sup>1</sup> Though partly based on Aristotle, *Ethics*, v., and *Politics*, i. 10. See S. Thomas, *Summa*, 2a, 2a., q. 77 a, 1, 4.

<sup>2</sup> Ashley, *Economic History*, 132.

A.D. 1066  
—1272. Common estimation is thus the exponent of the natural or normal or just price according to either the mediæval or the modern view; but whereas we rely on the 'higgling of the market' as the means of bringing out what is the common estimate of any object, mediæval economists believed that it was possible to bring common estimation into operation beforehand, and by the consultation of experts to calculate out what was the right price. If 'common estimation' was thus organised, either by the town authorities or gilds or parliament, it was possible to determine beforehand what the price should be and to lay down a rule to this effect; in modern times we can only look back on the competition prices and say by reflection what the common estimation has been.

*Regulated prices.*

It was of course felt that this mode of detecting the just price was not very precise, and indeed that it was not possible to determine the just price of any article absolutely. The obvious fact that the seasons varied made it clear that the price of food could not be fixed once for all. They did think it was desirable then to settle them as much as possible, so as to leave less room for arbitrary demands and unreasonable rates. The real question is not whether prices can be definitely fixed, but how far they can be fixed at any given time. Even in the present day certain economists contend that it is possible to settle authoritatively the relation of exchange between gold and silver; for barristers' and doctors' fees, as well as for railway and cab fares, there is a fixed and definite tariff; and if it is possible to carry out the scheme of determinate prices so far in the nineteenth century, we may be sure that there was very little difficulty about including a large range of articles in the thirteenth. At the same time S. Thomas Aquinas would have admitted that the just price could not be so definitely settled that it was a positive duty to take that and no other; all that could be done was to point out things that must be avoided and that were unjust. The conception of a just price was used not as a positive guide, but as a negative test which might assist men to avoid what was wrong.

*Variations in price.*

Prices assigned by common estimation would sometimes

be high and sometimes low according as an article was plentiful or not; the just price varied from time to time for such commodities. Nor was it unjust for a man to sell an article for more than he had paid for it as its just price, if there had been a change of circumstances; such a change of time or place that he deserved remuneration for some trouble in connexion with transport or for other service rendered. But it was unjust to try to get an arbitrary price; that is, to try to form a ring, or to speculate on the possibilities of the future in such a way as to be able to demand an extortionate price. If we allowed ourselves to be guilty of the anachronism of trying to summarise mediæval doctrine in modern terms, we should say that they thought it unjust to sell without conscious reference to what is now called the cost of production. It was impossible for them to give a positive justification for the profit of the man who bought to sell again; all that moralists could say was that under certain circumstances it was not wrong to do so, and practical men kept a suspicious eye on the dealings of middlemen.

The practical men who held that certain forms of transaction were wrong were able to draw a pretty definite line, and to enforce it strictly. The moralist who had to consider the motives in the heart was in a more difficult position; in all mercantile transactions there was a real danger of greed of gain; but mercantile dealings were for the common good of mankind and must be carried on, despite the possible danger. Commerce might be carried on for the public good and rewarded by gain, and it was only sinful if it was conducted simply and solely for the sake of gain. The ecclesiastic who regarded the merchant as exposed to temptations in all his dealings, would not condemn him as sinful unless it were clear that a transaction was entered on solely from greed, and hence it was the tendency for moralists to draw additional distinctions, and refuse to pronounce against business practices where common-sense did not give the benefit of the doubt. Remuneration for undertaking risk was at first prohibited<sup>1</sup>; *Circa A.D. 1230.*

<sup>1</sup> c. 19, *Decret. Greg. IX.* v. 19. *Naviganti vel eanti ad nundinas certam mutuans pecunie quantitatem, pro eo, quod suscipit in se periculum, recepturus aliquid ultra sortem usurarius est censendus.* This has been sometimes interpreted

A.D. 1066 but the later canonists refused to condemn it. The parliament of Edward III. however adhered to the older view and took the stricter line in legislating for trade with Gascony<sup>1</sup>.  
—1272.

*Condemnation of usury.* 84. The condemnation of usury in all its forms was decided: but in this matter too we see how, through an unwillingness to pronounce that current transactions were necessarily sinful, distinctions were drawn and excuses recognised, which gradually diminished the force of the ecclesiastical prohibition, and which gave rise to all sorts of ingenious evasions. One of these has been mentioned above, as practised by the Caursines; another is explained by Mr Round<sup>2</sup> as effected by an agreement to lease lands at a nominal rent to the lender; the nominal rent was to be paid for the reduction of the principal by yearly instalments, while the creditor gained by the difference between the nominal rent and real value of the land. Lay opinion and municipal courts appear to have been less lenient than the ecclesiastics<sup>3</sup>.

*Aquinas.* S. Thomas Aquinas' reasoning on usury for money loans only becomes intelligible in connexion with the distinctions drawn in Roman Law. If you give a loan of money (*mutuum*) you part with property in the article, and if you subsequently acquire property in a similar article you ought to be satisfied. You do not have the use of the money you lent, but neither do you have the risks which always attach to property. But if you demand payment for the use of your property, and insist on its being replaced as well, you charge for something that has no existence, for money can only be used by spending. When you handed over the property in the money to your neighbour you knew he was going to spend it, for that is the

*Use.* as a clerical error for non est censendum. For authorities who take it thus see Neumann, *Geschichte des Wuchers*, 17 n. For those who take it as prohibitive see Ginepro da Diecimo, *La Giustizia de' Contratti*, 94 n. The MS. authority together with the remarks of the pseudo-Thomas in the *Opusculum de usuris* appear to me conclusive in favour of taking the sentence as it stands.

<sup>1</sup> 27 Ed. III. c. 6. See below, p. 294.

<sup>2</sup> *Ancient Charters*, 94. The kind of collusive bargain here described was apparently condemned in 1163 by a decretal addressed to the Archbishop of Canterbury. c. 2, *Decret. Greg. IX.* v. 19.

<sup>3</sup> See below, p. 826. The following paragraphs are extracted from my *Christian Opinion on Usury*, pp. 80—88.

only use he can put it to; since he has bargained for a reimbursement of your property it is unfair to make him pay for the use of that which has become his own property and is held at his own risk. Of course if he does not apply for the money in order to spend it, but for purposes of display, the case is different; he will then return the pieces of silver, and it is a case of hiring (*pecunia locata*), just like that of a horse or a house. Bullion in the form of plate might often be thus used; but there is no excuse for treating wealth which has been handed over to be the property of another for a time in the way one may fairly do with goods that are only hired out but remain the property of the original owner<sup>1</sup>.

Again if we consider the nature of money we see that it *Money*. has been devised to serve as a medium of exchange, and it does greatly facilitate the natural type of exchange where mutual needs are satisfied by bartering the product of each other's work. But to treat it as a source of gain is to divert it from its proper function and thus to make gain where no gain naturally accrues. This argument might have some force if we took the attitude of classical writers and stigmatised all trading for gain as base; but when we allow that certain transactions are permissible when undertaken in the hope—but not for the sake—of gain, it has no longer the same force. The distinction may seem a mere subterfuge, but it was of real practical importance, as it served to mark out that some modes of dealing<sup>2</sup> were wrong. To bargain for gain as a certainty, however the transaction turns out, and to bargain for a share in the gains but none in the risks of business, was to trade, not merely in the hope but for the sake of gain. From this standpoint however we are compelled to admit the lawfulness of compensation not only for actual loss (*damnum emergens*) but for the cessation of gain (*lucrum cessans*) from the use of one's capital. The former of these is explicitly admitted in writings attributed to S. Thomas Aquinas<sup>3</sup>, and the latter is discussed with

<sup>1</sup> *Summa*, 2a, 2a, q. 78 a, 1.

<sup>2</sup> As dealing on commission. *Statuta Gilde*, c. 25. *Burgh Laws of Scotland*, 75.

<sup>3</sup> *Summa*, 2a, 2a, q. 78 a, 2, and q. 62 a, 4. See also more fully in the spurious *Opusculum de Usuris*, c. 7.

A.D. 1066 — 1272. hesitation. But such admissions really take most of the force out of the prohibition; and thus the arguments, which had their first bearing on the status of classes in a heathen city, lose their conclusiveness when applied to the rectitude of motive and conduct in a Christian man.

*Exceptiones.* But still further modifications became necessary. It was obvious that a man might fairly desire to be paid when he incurred the possibility of losing all he had lent, or when he was put to inconvenience by the failure of the borrower to return the goods at the right time. In such cases as these justice seemed to require that the lender should be compensated, and hence we have the permission of receiving payment on the ground of *periculum sortis*. This was the ground of the permission which *fœnus nauticum* enjoyed<sup>1</sup>, and the various maritime customs<sup>2</sup> show how wide this practice was. At the same time it appears to be explicitly condemned by Gregory IX.<sup>3</sup>

A further reason for payment of more than the sum borrowed was found in the *paena conventionalis* which seems to have been most generally recognised; a delay in repayment might obviously inflict serious damage on the lender, and this gave occasion for additional payments by the debtor; this obligation takes a very prominent place in the contracts between borrowers and lenders in the Middle Ages, and the case of Antonio and Shylock has made it familiar to us all.

Partly then from the doctrine of S. Thomas Aquinas, and partly from the practice of a Christian country like England, we find that many exceptions to the strict letter of the prohibition of usury were tolerated. It is clear that on one or other of these reasons almost every loan might claim a certain amount of interest, and the whole doctrine might have become a dead letter. But with certain well-known

<sup>1</sup> *Summae*, 2a, 2a, q. 78 a, 2. Sed ille qui committit pecuniam suam vel mercatori vel artifici per modum societatis cuiusdam, non transfert dominium pecuniae sua in illum, sed remanet ejus; ita quod cum periculo ipsius mercator de ea negotiatur, vel artifex operatur; et ideo sic licito potest partem lucri inde provenientis expetere, tamquam de re sua.

<sup>2</sup> See *Les bones costumes de la Mar*, 194, 195, 211, in the *Black Book of the Admiralty*, III. 880.

<sup>3</sup> See above, p. 235.

exceptions, there was little inclination on the part of the A.D. 1066 authorities to connive at such evasions, and the common-  
sense of the public agreed in this matter with the ecclesiastical decisions. The law of the realm was in practical accord with the canons discussed by S. Thomas Aquinas; other guardians of morality, in the pulpits and elsewhere, exerted their influence in the same direction. We need not be surprised that under these circumstances a strong public opinion was formed on the subject,—a public opinion which supported the ecclesiastical and other powers in inflicting penalties on the usurer. The public opinion thus created is a most noteworthy feature in English history; the strong feeling against usury was more vehement and stringent than the laws by which it had been formed; and it failed to recognise the fairness of the distinctions which subtle intellects drew, and of which the moneyed men made use as excusing their extortions.

It is commonly supposed that narrow-minded ecclesiastics *Effect on society.* laid down an arbitrary and unjustifiable rule against taking interest, and that they thus hampered the growth of trade. The rule was not arbitrary, but commended itself to ordinary common sense and it did not hamper trade. The limits which were laid down in regard to money loans were not so narrow as modern writers appear to suppose and every encouragement was given to men who could afford it, to make gratuitous loans for definite periods, as a form of Christian charity<sup>1</sup>: and it may be confidently affirmed that no real hindrance was put in the way of material progress in the then existing state of society by these restrictions. Tillage was so generally carried on by communities, or at any rate was so far cooperative, that the cultivator would rarely be reduced to borrowing money, as the Eastern

<sup>1</sup> See a case (1188) in Round's *Ancient Charters*, p. 90; also the instance in 1115 of Bricstam (Orderic Vital vi. in *Duchesne, Hist. Nor.* 628). *Ipse etiam nec multum dives, nec nimium pauper, secundum laicorum ordinem in possessione mediocri seipsum et familiolam honeste regebat. Vicinis suis indigentibus numeros non tam ad usuram accommodabat, sed propter infidelitatem multorum a debitoribus vadimonia retinebat.* As to loans by a burgess to the municipality see *Winchester Ordinances, Archaeological Journal*, ix. 73. The ordinances of the gild merchant at Coventry provide for a gratuitous loan of money to a brother who has fallen into poverty so as to enable him to trade. *Gross, Gild Merchant*, ii. 50.

A.D. 1066 — 1272. peasantry do. Poverty probably meant a greater personal dependence on a manorial lord, not a constant dread of the exactions of usurers. Nor was it necessary for the artisan to borrow, as in all probability his gild<sup>1</sup> would supply the means of carrying on his trade if unexpected losses or sickness crippled his resources; while, generally speaking, the stock-in-trade required was very small, as he often worked on materials supplied by customers. If he was engaged on a long job where money was needed, he could borrow for the purpose, on terms which remunerated the lender with a share in the profits, and yet not be guilty of usury, as understood by S. Thomas Aquinas<sup>2</sup>. The merchants too were not restrained from using the capital of other men in their ventures or from remunerating them for the risk involved. The cases in which men were generally reduced to borrow without being able to offer the lenders a profitable partnership, were those where kings and barons were suddenly called on to meet the expenses of a military expedition, or where land-holders and ecclesiastics had to borrow to meet the calls of royal or papal taxation; borrowing for the sake of building magnificent works or for other purposes of display we need not consider. Mediæval usury was quite unlike that of pagan and Eastern countries, for it was prevented from attacking and preying on the industrial resources of the country; the comfortable classes and ecclesiastics were those who suffered most by being occasionally forced to apply to bankers or Jews when they really needed coins.

<sup>1</sup> Compare the practice of making such loans on pledges to sick brothers in Germany. Schanz, *Zur Geschichte der deutschen Gesellenverbände*, p. 72.

<sup>2</sup> See above, p. 238, n. 1.

### III. REPRESENTATION AND LEGISLATION.

#### I. POLITICAL AND SOCIAL CONDITIONS UNDER THE EDWARDS.

85. THE preceding sections have shown us the development of complex and well-organised industrial centres; we have regulations for the management of internal and foreign trade, arrangements for the superintendence of manufactures, and a code of commercial law. But though much progress had been made in London, at Ipswich and elsewhere, it was in all cases a local growth. The time of Edward I. marks the most important turning-point in our history, since he set on foot a machinery for framing general regulations for the whole country, and thus took the first steps in organising a national economic life that was to outlive and outgrow and absorb the most flourishing gild of the thirteenth century. Hence we now have the first beginnings of a political economy, so far as England is concerned. Hitherto we have had to deal with village or manorial economy, or to trace how special municipal and market privileges were conferred and used by the inhabitants of particular towns, and special trading privileges granted to groups of foreigners; but we are now to see the industry and commerce of the realm dealt with as a whole.

A.D. 1272  
—1377.  
*The begin-  
nings of  
national  
economic  
organisa-  
tion*

There are two main sides to the work of Edward I.; he instituted the representation of the people and he re-organised the fiscal system of the realm. Of these the

A.D. 1272 former was an improvement in the constitution on which it  
—1377. is unnecessary to dwell in detail here, and the direct economic  
effects of his changes in taxation may have been but slight  
at first. None the less was his work of the greatest significance so far as industry and commerce are concerned; it is not what he did that is remarkable, but what he rendered possible; he provided the machinery by which the whole subsequent development of English industry and commerce has been directed and controlled. Indeed it is not too much to say that the whole structure of society was altered by his wisdom. Formerly there had been a vast number of separate local jurisdictions, each united by a similar tie to the king as head, but without any real connexion with one another; now the towns in different parts of the country were enabled to realise the interests they had in common, to get over some of the old local exclusiveness, and to join in demanding measures for the common good of their class in all parts of the realm. Hitherto particular bodies had bought particular privileges for themselves, now they made terms as to the contributions which were to be taken from the whole land, and framed regulations which should be enforced throughout its length and breadth. This was the work which the estates of the realm were called on to undertake when they were summoned to consult with the king about what concerned all.

*Connexion of the various parts with the head,*

*and with one another.*

It was a new departure; but still it was only another step in the work which the first William had begun. He had done much to weld the several parts of England into a united whole, for he had forced each of the local powers into attachment to the common head of the whole realm; Edward proceeded to organise them all as parts of one body, not only connected by allegiance to the head, but bound by common interests and obligations to one another. The time for merely granting special privileges by charter and for relying on occasional contributions from particular groups of tenants was over, and the day had come when the strangely various elements of English population were at last organised into a body politic, and could thus simultaneously share in the advantages and in the burdens of government.

There had of course been general regulations for the whole realm on certain economic matters before this time ; a uniformity of weights and measures had been decreed, as well as *Assizes of Bread*<sup>1</sup>, Ale and Cloth, and an effort had been made to ensure fair dealing in regard to the commonest articles of consumption<sup>2</sup>. But it may be noticed that these were points in which the King and the Court were directly interested, since it was of the first importance that the supplies he required in progresses through the country should be obtained in definite and known quantities, and at reasonable rates when they were purchased ; the trading classes required definite weights and measures in each district, but a general uniformity of weights and measures was important to the king, and he was specially interested that there should be no sudden raising of the price of food when a visit of the court created a sudden demand. The Edwardian legislation may certainly be regarded as a new departure, since it was very different in form, and it primarily aimed at regulating trade in the interests of the subjects. Indeed it corresponds, not so much with the charters which kings had issued, but with the customs which had been formulated in different municipalities. The subjects, by adopting common usages in so many towns, had organised a body of customs on commercial and trading matters, and Edward only carried out what they had begun when parliament gave to similar customs the force of law in all parts of the realm.

From this time onwards we may notice the gradual development of this national industrial regulation, and how in regard to commerce, to manufactures and to agriculture alike the local authorities were gradually overtaken by

<sup>1</sup> See Appendix A.

<sup>2</sup> Precipue ex parte Domini Regis precipiatur quod nullus forisstellarius paciatur in villa commorari, qui pauperum est depresso manifeste et tocius communitatis et patrie publicus inimicus qui bladum, pieces, allec vel res quaecunque venales per terram vel per aquam venientes, quandoque per terram vel aquam obviando præ ceteris festinat lucrum scienter viciosum, pauperes opprimens, et diviciores decipiens, qui sic minus juste illo qui eas apportaverit multo carius vendere machinatur; qui mercatores extraneos cum rebus venalibus circumvenit, offerens se vendicione rerum suarum, et sugerens eis quod bona sua carius vendere poterunt quam vendere proponebant, et sic arte vel ingenio villam seducit et patriam. *Statutum de pistoribus.*

A.D. 1272 and superseded by the increasing activity of parliament, till —1877. in the time of Elizabeth the work was practically finished, and a complex but well-articulated system of national economy appears complete.

The general character of the local powers has been already indicated; it would be a mistake to suppose that serious efforts were made to suppress them wholly. Indeed it may be said that under Edward I. the towns made rapid advances; the free towns which he founded attained the highest point of constitutional importance, for they were free from manorial restrictions of every kind, and they were not yet overshadowed by the growing power of parliament. In succeeding reigns, even when the towns continued to grow in wealth and power, the special privileges for which they had paid so dearly came to be of comparatively little importance, not so much on account of actual attacks directed against them<sup>1</sup>, but because statute law extended the blessings of good government throughout the country generally. Special municipal privileges were not withdrawn, but they were superseded as other localities came to enjoy similar advantages through the vigorous action and wise regulations of the central authority.

*the more effective work of parliament.*

*Centralisation and individual independence.* The progress of this centralising tendency brought about one remarkable result; as it increased, the range of freedom for the individual citizen became wider and wider. The restrictions which seem to us so galling were not imposed for the first time by statute; for the most part parliament transferred the enforcement of certain regulations from a local to a central authority, and by so doing gave an immense increase to personal freedom. That there should be similar laws, similar customs, similar taxes, similar conditions of business throughout the length and breadth of the land was a very great gain for purposes of internal trade; as all Englishmen came to be subject to one law and shared in the same privileges, they were freed from the fetters that local immunities had imposed on their intercourse. In some other countries the special and local restrictions and privileges

<sup>1</sup> Though these also occurred in the legislation on behalf of alien merchants which, as the cities complained, was inconsistent with their chartered privileges. See below, p. 351.

were swept away, not without blood, and the continuity with A.D. 1273  
 the past was rudely broken by the sudden introduction of  
 modern improvements; in our land affairs have run another  
 course; local regulations were superseded by general legislation,  
 and then general legislation ceased to play such an im-  
 portant part, as world-wide commerce outgrew the control of  
 national ordinances. Hence one may say that there has been  
 one continuous progress in this matter; local regulations were  
 better than none, and towns regulated by their own gilds had  
 a start in the race; but general regulations are better still,  
 and when the country had so far advanced that general  
 regulation was possible, the maintenance of merely local  
 regulations would have been restriction. It is not regulation *Regulation*  
 that is an evil, but unsuitable regulation; unregulated trade *and re-*  
*striction.* is not necessarily in a sound condition, and regulated trade  
 is not restricted trade unless it is ill-regulated trade. If we  
 do not bear this in mind we shall hardly realise the extent of  
 the progress which is marked by the close of the charter  
 period and the beginning of legislation; while we shall  
 certainly fall into grave errors if we forget that the  
 Plantagenets and their parliaments were making regulations  
 for their own times and not for ours.

86. Edward I. laid the foundations of a system of  
 national regulation of industry and commerce, and this  
 gradually outgrew the municipal institutions; he rendered it  
 possible for his successors to survey the commercial condition  
 of the country as a whole, and to form a definite policy for the  
 development of national resources and for establishing  
 satisfactory relations with foreign places. Before his time  
 the rulers could only aim at securing good administration, and  
 collecting the revenue satisfactorily; but after his reign it  
 had become possible to devise a national policy and increase  
 prosperity, so that the sources from which revenue was  
 obtained might yield more freely. It is in the reign of *Foreign*  
 Edward III. that we can see the beginnings of a commercial *policy of*  
*Edward* *III.* policy of an international and not merely of an intermunicipal *III.*  
 character<sup>1</sup>.

<sup>1</sup> This and several subsequent paragraphs were read as a paper before the *Royal Historical Society* and have been published in their *Transactions*.

A.D. 1272—1377. There is a striking contrast between the reign of Edward I. and that of Edward III.; one was a legislator whose chief triumphs were constitutional, while the life of the other was passed in pressing those claims to continental dominion which his grandfather seemed to have renounced. But after all the wars of Edward III. were not dictated by personal ambition; their objects were approved by the Commons assembled in parliament, even while they groaned under the pressure of the expenses entailed; the assertion of his claim to the kingdom of France was a card he was forced to play in the hope of winning the game. But the more we look at the course he pursued, the more it seems probable that he was not aiming at a merely dynastic ambition,—still less was endeavouring to secure possessions abroad which should render him independent of his subjects at home,—but that his policy was thoroughly English, and that he aimed at the development of the national resources, and increase of the national power. This must of course be mere hypothesis, as we cannot hope at this distance of time to become thoroughly acquainted with the precise motives which influenced the king, but it is an hypothesis as to his political intentions which has much in its favour, and which renders his attitude towards industry and commerce intelligible.

*and his  
connexion  
with the  
great fiefs.*

Curiously enough too, Edward III. was the instrument of thwarting Philip in his endeavour to carry on a work of consolidation in France, similar to that which Edward I. had accomplished in England. The great fiefs,—Guienne, Brittany, Flanders,—were the main obstacles which delayed the union of France under one strong rule, and each of these in turn had the support of Edward III. in maintaining its opposition to the feudal superior. He was the hereditary ruler of Guienne, though other provinces to which he had an equal title had been filched away from him, and he was closely related to Flanders by his marriage, while he attempted to form similar connexions with Brabant as well. These personal relationships made it incumbent upon him to try to hold his own, and refuse to submit to yield to the arrogant claims and underhand schemes by which Philip was endeavouring to oust him. But these personal ties do not account

for the method he pursued in carrying on the war, the <sup>A.D. 1272</sup> provisions on which he insisted in his treaties, or the favour <sup>—1377.</sup> with which the Commons viewed his schemes.

The two districts in which he was thus personally interested,—Flanders and Guienne,—were the two regions which were most closely connected with England by common mercantile interests. "Trade follows the flag," and trade goes on more peacefully between two parts of the same empire; it was undoubtedly true that if Flanders and England, as well as Gascony and England were united, or <sup>Gascony.</sup> closely connected, politically, there would be every prospect that the commerce of both would flourish. The English rule seems to have been popular in Gascony at first and Flemings were ready to acquiesce in this scheme and support Edward most heartily; according to Froissart<sup>1</sup> he only assumed the style and arms of king of France with much reluctance, and <sup>A.D. 1340.</sup> because the Flemish towns urged him to take this step. They were not on very friendly terms with their own court, and they had every reason to fear the French king; if Philip's schemes were successful and he made his suzerainty over Flanders a reality, they would be in subjection to a <sup>Flanders.</sup> monarch who was bitterly jealous of the growing strength of his own communes, and who had already waged a cruel war against them. They could not but be struck with a contrast in the action of the English kings; Edward I. had been a great builder of towns, not only in his own island, but on the continent<sup>2</sup> too; he had called the burgesses to give

<sup>1</sup> *Chronicle*, c. 42.

<sup>2</sup> In J. H. Parker's continuation of T. H. Turner's *Account of Domestic Architecture in England* i. 154, there is an interesting account of the Bastides or Villes franches founded on a symmetrical plan by Edward I. in Guienne and Aquitaine. In plan they were rectangular and fortified, divided by streets 24 or 30 feet wide into blocks, which were again separated into separate plots by passages six feet wide. This isolation of each plot served to prevent disputes about party walls; gave security against fire and was convenient for drainage. These were matters which had received attention in London from the time of Henry II., and Edward not unnaturally sent to his own capital for skilled men to lay out some of his new towns in Aquitaine in 1298 (op. cit. i. 157 n.). The neighbouring lords, whether ecclesiastical or lay, strongly objected to these new and free towns: when the Ville franche de Rovergne was laid out the neighbouring bishop excommunicated any one who should go and build in it, as he feared that it would ruin his own town of Rodez (op. cit. i. 169). "No less than fifty towns were founded by the English in France within the same number of years, and the best proof of the success of the

A.D. 1272 —1377. him counsel in parliament, and his grandson summoned merchants—as he at other times summoned other classes—to colloquies on matters affecting their interests. They might well wish to be under such a king, while the requirements of their manufactures rendered it essential that they should get a constant supply of English wool<sup>1</sup>.

*Sovereignty of the sea.* Had Edward III. maintained his claim to the throne of France he would have of course secured a position as suzerain of Flanders; it might possibly be argued that he went some way to assert this right when he issued the noble<sup>2</sup>, intending it to circulate both in England and Flanders; this certainly looked very like the assertion of a princely right in regard to these countries, while the claim to the Sovereignty of the Sea would be more easily enforced and the king's peace maintained on the waters by a monarch who possessed the land on either shore.

*The course of the campaigns.* A.D. 1346. Be this as it may, we see that in his first campaigns, Flanders was the base of operations; that in the great campaign, after landing in the Cotentin, he again turned away both from Guienne and from Paris to establish his forces in the Low Countries; while his protracted negotiations with the people, as well as the princes, of Flanders and Brabant, seem to show how much his proceedings towards Philip were affected by the way in which he kept the interests of the wool trade in view.

*The Gascony trade.* The other great branch of continental trade, the wine trade with Gascony, was more than partially Anglicised, since it had been concentrated in Lilburn and other English towns, where the burgesses would welcome the policy pursued by Edward III. His hereditary right to the Duchy made this really a trade between two different parts of his own possessions; and to have established a firm hold upon Gascony, Flanders and England, would have been to create a remarkably powerful commercial federation. It is probable that the misgovernment of the Black Prince, by alienating the

plan is in the strong hold which the English people held in the affections of the people of this part of France, and in the fact that most of these towns are still existing, and in a flourishing state" (op. cit. I. 170 n. also 1 n.).

<sup>1</sup> On the export of wool to Flanders see Appendix D.

<sup>2</sup> See title-page.

southern peoples, rendered it impossible to realise this scheme, <sup>A.D. 1373</sup> ~~—1377.~~ for the Flemish connexion<sup>1</sup> was the less important project, especially when the manufacture of cloth was being so successfully prosecuted in England; but it was a thoroughly statesmanlike plan and would justify the reputation Edward III. enjoyed as the Father of English Commerce. It would be curious, as it is idle, to speculate how very differently European politics must have shaped themselves if this dream had been realised; if France had been wedged in between two tracts of territory, united both by loyalty and commercial interest to England; and if English trade had at that early period received the extraordinary impetus which these political connexions must have given.

87. Though the constitutional change which took place under Edward I. is one of the turning-points of industrial history, and the political schemes of Edward III. seem to mark a new era in the progress of the nation, there were other sides of life which exercised no little influence on economic affairs, and in regard to which no change was apparent; current morality was not substantially altered, <sup>Com-  
mercia  
l morali  
ty.</sup> and the practical measures which embodied it are similar to those which were already in vogue.

In a preceding section an attempt has been made to sketch the methods of trading which approved themselves to the gilds merchant in thirteenth century towns, and the same feelings found expression on a larger scale in parliament. Had civil lawyers been more largely represented in parliament it is quite conceivable that our commercial legislation <sup>Statute  
Law re-  
enforces</sup> might have been copied almost entirely from the code of Justinian; on the other hand the attempts to limit the rapidly increasing wealth of the church would hardly have emanated from an assembly where ecclesiastical feeling was dominant; in either case there might have been some expression of jealousy at the prosperity of the burgesses and the traders. But the earliest economic legislation is very similar to the burghal customs; it is purely empirical; and <sup>burgh  
customs.</sup>

<sup>1</sup> In the treaty of Bretigny (§§ xii, xxxi, xxxii) king Edward sacrificed his claims on Flanders as the price of the promised cessation of French interference in behalf of Scotland. Rymer, *Fœdera*, III. i. 487.

*A.D. 1272* it reflects the opinions and prejudices of practical men,  
*—1877.*  
*Empirical legislation.* especially of merchants—the class who were dominant in the regulation of town affairs. Early legislation is concerned with providing facilities for trading, for more frequent intercourse, for better markets and better prices—in the hope of securing a supply of wares in plenty to the consumer<sup>1</sup>. It also aimed at enforcing what was fair, as between man and man in every-day transactions; but it rests on practical experience, not on scholastic teaching, and it is difficult to use the mediæval doctrine of a fair price, as it is found for example in S. Thomas Aquinas, so as to explain the actual regulations and restrictions. The more the enactments are examined the more does it become clear that they are based, not on the Aristotelian doctrine of moralists, but on practical experience of bargaining about different kinds of commodities in the market or the fair. There was much in the acts of these parliaments that was mistaken, but the legislators erred as practical men may err; there was nothing *doctrinaire* in the remedies they tried or the regulations they proposed; they were often short-sighted, but they were not led away by some favourite theory in the days of the Edwards. It was a time of legislation and regulation by rule of thumb; and unless an effort is made to understand the social conditions which moulded our industry and commerce during that period the legislation itself may be entirely misunderstood.

## II. CONSOLIDATION.

*Representation.* 88. While Edward I. was ready like De Montfort to associate the estates of the realm with himself in the work of government, he was by no means willing to forego any of the just claims of his position as king; it was not because he was weak and careless and desired to be rid of responsibilities that he summoned his parliaments, but because he believed that his government would be stronger if his plans were

<sup>1</sup> Hence the Edwardian legislation resembles that of the nineteenth century more closely than that of any of the intervening periods.

supported by the suffrages of his subjects. His father had A.D. 1272  
 endeavoured to exercise a personal sway, and he had been —1307.  
 forced to give up the kingly powers to a committee of his  
 barons. Edward by endeavouring to act in conjunction with  
 the estates of his realm, did not indeed always get his own  
 way, but he succeeded in establishing a government that was *and royal authority.*  
 really effective against the discontented and disorderly. And  
 hence, while in the time of Henry there had been the most  
 serious encroachments upon royal wealth and jurisdiction,  
 Edward was able to recover and maintain much that had  
 slipped from his father's grasp. Here one may notice that it  
 was because he was successful in asserting his rights as king  
 against individual barons, or the Pope, that their constitu-  
 tional powers were defined in the form they actually took,  
 and that they were prevented from usurping a power which  
 would have been dangerous to the nation itself. When *Usurpa-*  
*tions and*  
*tyranny.*  
 staunchly maintaining the rights of the Crown, Edward was  
 taking the most effective means for securing the ultimate  
 redress of the wrongs of the poor<sup>1</sup>. This comes out very clearly  
 in the story of the disafforesting controversy. By an adjust-  
 ment of boundaries considerable portions of the Crown forests  
 were given over to certain barons, who gained personally; but  
 the position of the tenants was so much altered for the worse  
 that their case obtained special attention in the *Ordinance of A.D. 1305.*  
*the Forest*, by which their rights of pasture and common  
 were secured.

If this was the most formidable, it was not by any means *Encroach-*  
*ments on*  
*royal rights.*  
 the only encroachment about which he had cause to bestir himself. As has been described above, one of his first acts on coming to the throne had been to institute an inquiry into the full extent of the losses which the Crown property had sustained<sup>2</sup>. He sent out commissioners and took account of A.D. 1274.  
 the losses of the Crown from usurpations by the subject, and of the misdeeds of royal officers. The results of the inquiries are embodied in the *Hundred Rolls* and the records of the proceedings which ensued; they contain much evidence to

<sup>1</sup> For a picture of these about this time see the 'Husbandman's Song,' in Wright's *Political Songs* (Camden Society), 149.

<sup>2</sup> See above, p. 167.

A.D. 1272 show that where the king was badly served, the people suffered too. Many things required amendment in the realm  
 —1807.  
 A.D. 1275. at the time of his accession, "for the prelates and religious persons of the land were grieved many ways, and the people otherwise entreated than they ought to be, and the peace less kept, and the laws less used, and the offenders less punished than they ought to be<sup>1</sup>." The enforcement of laws, and the enactment of more widely effective laws were absolutely necessary for the good of the country.

*The  
Church*

*and its  
revenue.*

89. There was one particular direction of change however which called for special intervention; corporations never die, and the munificence of successive generations had tended to bring a large area of the lands of the country into the hands of the clergy. The excessive endowment of religion was a political evil, as such a large proportion of the revenues went directly or indirectly to the enrichment of the see of Rome; its claims directly had been steadily increasing for a long time past. Peter's pence had been paid with more or less regularity since the ninth century; and while preparing for the second crusade, the Pope taxed the clergy throughout Christendom as a means of supporting the undertaking. The connexion with the Roman See, which William of Normandy had introduced and S. Anselm favoured, was soon made an excuse for constant appeals; and immense sums were paid as mere bribes to the papal servants at Rome. The position of feudal suzerain of England, which the Pope had acquired during the reign of John, and the fact that by the will of that monarch he was guardian to the young Henry, strengthened the hold which the papal power had upon the revenues of England, and especially of the English Church. In particular the various pretexts under which Rufus had appropriated Church revenues<sup>2</sup> were soon used on behalf of the papacy; while a large number of the richest benefices in England were in the hands of aliens and foreigners. This was a crying evil in the thirteenth century<sup>3</sup>, and despite

<sup>1</sup> *First Statute of Westminster* (preamble).

<sup>2</sup> For calculations as to the amount of these resources compare Pearson, *Hist. Eng.* II. 496, and Milman, *Lat. Christ.* IX. 15. In the reign of Edward III. the Commons estimated it at a third of the property of the realm. *Rot. Parl.* II. 387 a.

<sup>3</sup> See above, p. 198.

many efforts to check it, there is little sign that it really abated. In the reign of Edward III. the Commons complained that the taxes paid to the Pope amounted yearly to five times the sum paid to the Crown<sup>1</sup>.

This was in itself a serious matter, but the evil became more obvious when Pope Boniface VIII. claimed to have such authority in England that royal taxes on the temporalities of the clergy should only be levied with his consent and approval<sup>2</sup>. The new and startling claim was met by a vigorous measure, for Edward I. withdrew all legal protection from the clergy, and his sentence of outlawry soon suppressed the attempt to maintain such pretensions. But the fact that this claim could be put forth rendered it still more necessary to press forward on the lines of action which Henry II. had taken by enforcing the obligation of the clergy to pay scutage on the knights' fees which they held.

The first of Edward's measures with this view was the *Mortmain*. *Statute of Mortmain*<sup>3</sup> which prevented the clergy acquiring additional lands either by gift or purchase without the consent of the chief lord, and without bearing their fair share of public burdens; there had doubtless been fraudulent conveyances of lands to the Church by men who desired to be reinstated in possession as Church tenants, and as enjoying immunities on that account. This measure was followed up by the *Quia Emptores*<sup>4</sup>, which not only condemned the collusive sales by which the tenants in chief and the Crown had been damaged, but provided for the more easy transference of land so long as the rights of the superiors were properly preserved; for every tenant was now permitted to sell his lands or parts of them. There is reason to believe that this statute was taken advantage of very generally, and that there was in consequence a great increase in the number of free tenants, many of whom however had but small holdings<sup>5</sup>. This was the effect, but not so far as appears the object, of the measure; but once again the effort to secure the rights of

<sup>1</sup> *Rot. Parl.* II. 387 b.

<sup>2</sup> *Greatest of Plantagenets*, 229.

<sup>3</sup> *De viris religiosis*, 7 Ed. I. ii.

<sup>4</sup> *Quia emptores*, 18 Ed. I. ii.

<sup>5</sup> Scruton, *Commons and Common Fields*, 55. Jesseopp, *Coming of the Friars*, 190.

A.D. 1272—the Crown indirectly led to the granting of improvements  
—1807. in the condition of the tenant.

*The ecclesiastical Orders.* The struggle to assert the rights of the Crown was prolonged in the case of the various ecclesiastical Orders. The Templars were among the first to feel the weight of royal displeasure; they were already unpopular with the clergy because they had been removed from ordinary ecclesiastical jurisdiction, and several bulls were issued in their favour<sup>1</sup>;

A.D. 1256. and several bulls were issued in their favour<sup>1</sup>; and when the loss of Acre sealed the failure of the

A.D. 1291. Order to recover the Holy Land from the Infidel it was possible for Edward I. to argue that they should no longer be protected in the enjoyment of wealth which had been granted in the hope of accomplishing this object. He seized the revenues which they were about to transmit to Cyprus, and

A.D. 1295. though he restored them on the earnest appeal of the Pope<sup>2</sup>, he subsequently carried away from the Temple by force a sum of ten thousand pounds. Edward II. improved on this example at his succession, and seized no less than fifty thousand pounds in silver, besides gold and jewels which had been deposited in their treasury<sup>3</sup>. When through a shameful intrigue<sup>4</sup> the papal protection was at last withdrawn the Order was left utterly defenceless; but it is to the credit of Edward II. that he showed considerable reluctance to believe the accusations against the Order<sup>5</sup>, or to lend himself as an agent for their suppression.

*Cluniacs.* The foreign monastic Orders escaped at this time, but like

A.D. 1346. the alien beneficiaries<sup>6</sup> they were very severely treated by Edward III. The Cluniacs had, like the Templars, been supplying money for the uses of the chapter in foreign parts;

*Cistercians.* while the Cistercians had endeavoured to evade the duty of contributing to the royal revenue on the ground that their houses in England had no complete control over their possessions<sup>7</sup>. But these evasions did not serve to avail

<sup>1</sup> Rymer, *Fœdera* (Record), i. i. 884, 885.

<sup>2</sup> Ibid. i. ii. 823.

<sup>3</sup> Addison, *Knights Templars* (2nd Ed.), 448.

<sup>4</sup> Ibid. 450.

<sup>5</sup> Rymer, *Fœdera* (Record), ii. i. 10, 19.

<sup>6</sup> Ibid. iii. i. 68.

<sup>7</sup> It appears that Henry III. admitted this claim (A.D. 1242), as he appealed direct to Citeaux. Mat. Paris, *Chronica Majora*, iv. 284, 285, 257.

them, and by rejecting them firmly, Edward followed his A.D. 1272 grandfather's example, and took another step in the consolidation of the realm as a whole. <sup>—1807.</sup>

90. So far we have had to do with the enforcement by *undefined rights* of the constitutional means of the prerogatives of the king as supreme landowner, we must now turn to examine the prerogatives which he exercised as supreme in disposing of the products of the soil, and as controlling the use and exchange of them. This side of the royal power has been less commonly understood and admitted<sup>1</sup> than Crown rights on the land, for it was never so explicitly asserted as when William I. put forward the claims of the feudal king at Salisbury, and it was only exercised within limitations. Nevertheless it is only on the supposition of such a prerogative that the various forms of royal exaction and royal control over the internal and external trade of the country become intelligible. The king—the head of the nation—might require *of prise and goods for his own use and that of his household, and for the commissariat in warfare, and he might control the disposal of them in the interest of the subjects or of the national resources.* His requirements might be satisfied (a) by taking the articles he required, (b) by exercising a right to purchase them on more or less favourable terms, or (c) by accepting money in lieu of the exercise of these rights.<sup>2</sup>

The indefinite rights which the kings had exercised by immemorial usage were now to be systematised and defined; the Domesday Survey is full of hints of obligations connected with *purveyance*, and the earlier statutes contain frequent *purveyance* references to the subject. The requirements of the court had to be met when the king travelled through the country, and this was done either by compulsory purchase (*emption*) or the simpler method of *caption*. The similar right when

<sup>1</sup> For one thing it conflicts with the doctrine which has been held by Locke, Adam Smith, and their followers, that property in the products of the soil rests on labour (see above, p. 94 n.). But it is notorious that there is communal control over all the products of labour in a village community, and there is nothing absurd in maintaining a national right to control and dispose of all the products of the labour of individual citizens in the nation.

<sup>2</sup> On the whole subject compare Mr Hubert Hall's *Customs Revenue*, I. 55—72.

A.D. 1272 exercised in regard to articles of export or import was known as *prise*; and the liability to demands of this sort—for which the merchant could only hope to be remunerated in part and after a long delay, if at all<sup>1</sup>—rendered these forms of indirect taxation exceedingly inconvenient, if we judge of them by modern canons, as well as very expensive, from the malversations of which officers were occasionally guilty. The practice must have become specially noxious in connexion with the continental wars of English kings. So long as personal service in the field was maintained and the knights had to 'find themselves' it would not be so bad, as the barons were not in all probability able to imitate the royal practice very closely<sup>2</sup>. But when the payment of scutage relieved the knights from this obligation it became the duty of the king to organise a commissariat; and the exports and imports of the realm lay ready to hand for this purpose. They might either serve as supplies, as in the case of wine, or might be carried abroad, so that the sale might furnish the king with the means of purchasing the necessities of life. The purveyance of commodities for the king's use within the realm is consequently of far less economic importance than the action of the Crown in regard to merchandise. The fiscal history of the reigns of Edward I. and Edward III. turns very much on their efforts to exercise these privileges with, and sometimes without, parliamentary sanction.

*Definite tolls.* Under ordinary circumstances the king preferred to take his share of the value of the exports in the form of a toll, and

A.D. 1275. custom had apparently come to recognise a definite payment which was a fair toll to take; this was the so-called 'ancient custom' on wool, woolfels and leather of half a mark on

<sup>1</sup> Hall, *Customs*, i. 61.

<sup>2</sup> Forced enjoyment of the hospitality of religious houses was an approach to the exercise of rights of purveyance. It was checked by the *First Statute of Westminster*, c. 1. "Because that Abbeys and Houses of Religion have been overcharged and sore grieved, by the resort of great men and others, so that their goods have not been sufficient for themselves whereby they have been greatly hindered and impoverished, that they cannot maintain themselves nor such charity as they were wont to do, It is Provided that none shall come to eat or lodge in any House of Religion of any other foundation than his own at the costs of the House, \*\* and that none at his own costs shall enter in and come to lie there against the will of them that be of the House."

every sack of wool, and one mark on every last of hides<sup>1</sup>. A.D. 1272  
 Similarly, there was a *recta prisa* of wine<sup>2</sup>, the chief article <sup>—1307.</sup> *recta prisa*, of import, which consisted of one tun taken before and one abaft the mast. It does not appear that the rates with regard to other articles of export and import were similarly defined. Aliens, however, stood in a somewhat different position; they paid all their dues in money; for freedom from the king's arbitrary prise of wines they rendered *butlerage butlerage* of 2s. a tun<sup>3</sup>. Similarly, they paid an additional duty on wool, and 3d. per pound avoirdupois on all other commodities, to be free from the king's prises on their commerce; this was the *nova* or *parva custuma*<sup>4</sup> to which denizens were not liable.

Exactions in excess of these rates were regarded as *Mala tolta*, oppressive (*mala tolta*), and provoked a considerable outcry in 1297. The parliament was however perfectly willing to make additional grants in great emergencies. Thus we read of a grant which was made to Edward III. and which was A.D. 1341. much mismanaged<sup>5</sup>; or we have *subsidies* voted, as in the fourteenth and twenty-seventh years of Edward III.<sup>6</sup>; these were subsidies on wool, in addition to the ancient custom. There were also frequent subsidies of *tunnage* and *poundage*<sup>7</sup>, *Subsidies* which were subsidies in addition to the ordinary prisa of wines and other goods paid by denizens, and the butlerage and nova custuma paid by aliens. While the customs were the parliamentary shaping of the ordinary exercise of the prerogative, subsidies were the parliamentary voting of special aids.

The collection of these tolls and subsidies required a body <sup>Customs officials.</sup> of officers; the king's chamberlain, the sheriffs, and a considerable variety of persons had been employed in earlier reigns<sup>8</sup>, but Edward I. appointed regular *customers* for the duty<sup>9</sup>; their business was partly that of collecting the revenue,

<sup>1</sup> Hall, *Customs*, I. 66.

<sup>2</sup> Ibid. II. 96.

<sup>3</sup> Ibid. II. 102.

<sup>4</sup> Ibid. II. 120. It was temporarily abolished by Ed. II. (1309) in the Statute of Stamford as a fiscal experiment (*Rot. Parl.* I. 444 a.), but subsequently reimposed. See below, p. 268, n. 5.

<sup>5</sup> Hall, *Customs*, I. 78.

<sup>6</sup> Ibid. II. 184.

<sup>7</sup> Ibid. II. 146.

<sup>8</sup> Ibid. II. 8.

<sup>9</sup> This appeared to be an infraction of chartered privileges and was apparently resented as such at Bristol. *Rot. Parl.* I. 359.

A.D. 1272 and they were also charged with the responsibility of putting down smuggling. They had to see the wools weighed, and to seal (*cocket*) them before they were embarked; similar duties in regard to exported and imported cloth were also discharged in connexion with the collection of revenue by subordinate officials<sup>1</sup>. The formation of a special customs department was perhaps more necessary since so many towns had become exempt by their charters from the interference of the sheriff and from the ordinary courts. In order that the Crown might reap the full benefit from the export trade which yielded so much revenue, it was necessary to superintend the dealings in wool so as to gather the tolls and prevent illicit trade<sup>2</sup>. But this could not be done without taking measures to force the trade into channels where it could be properly controlled; Berwick, Newcastle, Hull, Boston, Lynn, Yarmouth, Ipswich, Dunwich, London, Sandwich, Chichester, Southampton, Bristol, Exeter, Cardigan, and Chester were among the principal commercial ports in the time of Edward I. The scheme was more definitely organised by Edward III.<sup>3</sup>; in some cases the customers were responsible for superintending the trade at a neighbouring harbour as well; thus Chepstow and Bridgewater were grouped with Bristol.

*Ports.*

In thus organising the collection of customs Edward I. and his parliament asserted a right of regulating the places of trade, and of determining the conditions under which trade should be carried on. Of the ports which were thus selected some, like London and Chester, had been commercial centres from time immemorial, but others had been newly founded by the king himself. The site on which Hull stands had attracted his attention<sup>4</sup> while he was hunting in Holderness; he enquired about the depth of the river and the height of the tides, and when satisfied that it was really

<sup>1</sup> Hall, *Customs*, II. 49.

<sup>2</sup> See the inquiry in the *Hundred Rolls*, above, p. 168.

<sup>3</sup> In 1353. *Ordinance of the Staples*, § 1.

<sup>4</sup> Mr Parker remarks (*Domestic Architecture*, II. 164 n.), "The exact similarity of this situation to that of Libourne in Aquitaine, the site of which is also said to have been selected by Edward himself, seems to give great probability to the story in both instances."

suitable for shipping he obtained the land by an exchange <sup>A.D. 1272</sup> with the Abbot of Meaux, and founded a free town<sup>1</sup>. Great <sup>—1307.</sup> <sub>A.D. 1299.</sub> Yarmouth appears to have been laid out at the same time, and the king endeavoured to settle the relations of the burgesses to the men of the Cinque Ports on a friendly footing. The places for shipping wool were so well selected, and their physical advantages and trading facilities were so great, that the limitation of export to these ports may not have been much of a grievance. At present it may suffice to notice that the king was successful in asserting a right of controlling trade, and to indicate the nature of the machinery which was organised in connexion with this claim; a great part of the commercial history of England consists in tracing the different ways in which the right thus asserted has been exercised from time to time<sup>2</sup>.

91. Since the Crown had such rights in regard to trade, <sup>Improved conditions for trade.</sup> it had also duties towards those who conducted the traffic. While Edward I organised a system for collecting a definite revenue, he set himself to improve the conditions of trading as well. He took up the regulations in regard to police and to the recovery of debts which were already in vogue in certain towns, and rendered them general, while he initiated some important improvements in regard to the currency.

a. *Police ordinances.* Of these the most important are *Police*. the *Statuta Civitatis Londonie*, with the regulations for securing good order in the town, especially after dark. It was necessary that a known citizen should be responsible for the good behaviour of every resident in the town, so that everyone might live under the eye of a respectable man who was answerable for his behaviour. On this account it was ordained that no one but a freeman of the city might keep a hostelry or inn<sup>3</sup>. Similar legislation was made for other towns

<sup>1</sup> Tickell, *Hull*, p. 10. Winchelsea, which preserves the ground-plan of an Edwardian town most perfectly, was refounded after an inundation in this reign, but it never attained to any great prosperity. Parker, *Domestic Architecture*, II. 158.

<sup>2</sup> The constitutional questions as to the relative powers of King and parliament in controlling trade may be neglected, from the present point of view.

<sup>3</sup> "Whereas diverse persons do resort unto the city, some from parts beyond the sea, and others of this land, and do there seek shelter and refuge, by reason of banishment out of their own country, or who for great offence or other misdeeds

A.D. 1272 in the *First Statute of Winchester*, which also gave greater security to the merchant when travelling by land. "And for  
 —1307.  
 A.D. 1286. more surety of the country the King hath commanded, that in great towns, being walled, the gates shall be closed from the sunsetting until the sunrising; and that no man do lodge in suburbs nor in any place out of the town, from nine of the clock until day, without his host will answer for him.  
 \* \* And further, it is commanded, That highways leading from one market town to another shall be enlarged, whereas bushes, woods or dykes be, so that there be neither dyke nor bush, whereby a man may lurk to do hurt, within two hundred foot of the one side and two hundred foot on the other side of the way<sup>1</sup>."

A.D. 1275. In the *First Statute of Westminster* Edward had already shown his care for the protection of traders. Legal effect was given to the old custom<sup>2</sup> that when a ship was stranded it should not be accounted a wreck if a man, cat, or dog, escaped alive from it. The cargo was to be kept by the royal bailiff, and those to whom it belonged might have the whole restored to them on laying a claim within a year and a day; and this was to hold good whether the rights of wreckage belonged to the king or to a subject<sup>3</sup>.

*Debts.* b. *Recovery of debts.* The policy in regard to debts owing to foreign merchants which had commended itself to the men of Ipswich as 'convenable for the town'<sup>4</sup> was rendered more general. "Forasmuch as merchants which heretofore have lent their goods to diverse persons be greatly impoverished because there is no speedy law provided for them to

A.D. 1288. have fled from their own country, and of these some do become brokers, hostellers and innkeepers within the saide city, for denizens and strangers, as freely as though they were good and lawful men of the franchise of the city; and some nothing do but run up and down in the streets, more by night than by day, and are well attired in cloathing and array and have their food of delicate meats and costly, neither do they use any craft or merchandise, nor have they lands or tenements whereof to live, nor any friend to find them, and through such persons many perils do often happen in the city and many evils." *Statuta Londonie.*

<sup>1</sup> *Statute of Winchester*, 18 Ed. I., st. II. c. 4, 5.

<sup>2</sup> It is referred to as such by Giraldus Cambrensis, *De instructione principum I. (Anglia Christiana)*, p. 190. He speaks of the constant disregard of the custom as one of the proofs of the degeneracy of England under the Angevins.

<sup>3</sup> 8 Ed. I. c. 4.

<sup>4</sup> See above, p. 208, n. 3. *Black Book of Admiralty*, II. 115.

have recovery of their debts at the day of payment assigned, A.D. 1273 and by reason hereof many merchants have withdrawn to —1307. come into this realm with their merchandises, to the damage, as well of the merchants, as of the whole realm, the King by himself and by his Council<sup>1</sup>" ordained and established, that when the debt was acknowledged before royal officers in specified towns, they should be impowered under the King's seal to distrain for debt in default of payment. At Acton Burnel this scheme was tried, as in London, York and Bristol; but complaints became current that the sheriffs misinterpreted the statute, so that it was re-enacted in 1285 as a *Statutum Mercatorum*, which was much more explicit, and gave the same sort of facilities in any town which the king might appoint, as well as at fairs. These advantages were abused, possibly by creditors who foreclosed and took possession, under this system, of lands which had been pledged, and the operation of the statute was limited to merchants, their goods and tenements; and in 1311 twelve towns were specified<sup>2</sup> where recognisances for debt might be taken before "the most safe and the most rich men," chosen by the commonalty for the purpose.

The statute of Acton Burnel had done something to *Unfair restraint.* remove the necessity for municipal interference for the recovery of debts, and Edward passed a measure to prohibit unfair distrain for debts; as has been shown above it had been usual to hold a man coming from another town, whether English or continental, responsible for the debts incurred by any of his fellow-townsmen. Edward endeavoured to stop the practice so far as it affected the burgesses of any town within the realm. The very terms of the statute show A.D. 1275. how little homogeneity there was between different parts of the country. "It is provided also that in no city, borough, town, market or fair, there be no foreign person, which is of this realm, distrained for any debt whereof he is not debtor or pledger<sup>3</sup>." It was at least as important that there

<sup>1</sup> *De Mercatoribus*, 11 Ed. I.

<sup>2</sup> Newcastle, York and Nottingham for counties beyond the Trent; Exeter, Bristol and Southampton for the South and West; Lincoln and Northampton; London and Canterbury; Shrewsbury and Norwich. 5 Ed. II. § 88.

<sup>3</sup> *First Statute of Westminster*, c. 23. It is not perhaps a matter of surprise

A.D. 1272 —1307. should be no hindrance to internal trade as that foreign merchants should be led to frequent the realm. Under the same head one may note the protection against the oppressive exaction of tolls in market towns<sup>1</sup>, and of payments directly due to the Crown—amercements made on account of offences against the king's peace were to be reasonable, the freeman was to have his freehold exempted, the merchant his merchandise and the villan his wainage<sup>2</sup>; while the rights of prise<sup>3</sup> and purveyance<sup>4</sup> were to be fairly exercised. It is impossible to exaggerate the importance of attempting to give greater security in these respects, though of course we cannot judge how far the statutes were at all effective; but it was at least something to have this desire put on record.

*Currency.* c. The currency. Edward took active measures to prevent the depreciation of the currency of the realm; the evil was chiefly due to the introduction of bad money from abroad in payment for English wool. He passed a measure *de falsa moneta* which was sternly repressive, and declared all pollards<sup>5</sup>

A.D. 1299. that the merchants from the Welsh marches had to submit to this grievance, a century later, in the English town of Calais. A tres noble Conseil notre Seignour le Roi monstrent les Countes de Wyrcestre, Salop, Stafford, Hereford, Bristol, et Glouc<sup>6</sup>, que come plusieurs Marchantz et autres Gentz des ditz Countes travail-  
lent a Caleys ove lour Marchaunes, en profit des ditz Countes et de tout le Roialme; Queux Marchantz et autres gentz plusours foitz sont arestuz, ascum foith pur trespass, ascum foith pur dettes des autres hommes des ditz Countes: Desqueux trespass et dettes les ditz Marchantz et autres gentz n'ont rien a faire, et plusours foitz n'ont conissance de ceux pur queux ils sount arestuz.

*Rot. Parl.* II. 852.

<sup>1</sup> *First Statute of Westminster*, c. 81.

<sup>2</sup> *Ibid.* c. 6.

<sup>3</sup> *Ibid.* c. 7.

<sup>4</sup> *Ibid.* c. 82. "Of such as take victual or other things to the King's use upon credence, or to the garrison of a castle or otherwise, and when they have received their payment in the Exchequer or in the Wardrobe, or otherwhere, they withhold it from the creditors, to their great damage and slander of the king, it is provided for such as have land or tenements, that incontinent it shall be levied of their lands or of their goods, and paid unto the creditors, with the damages they have sustained, and shall make fine for the trespass, and if they have no lands or goods they shall be imprisoned at the king's will.

"And of such as take part of the King's debts or other rewards of the King's creditors for to make payment of the same debt, it is provided that they shall pay the double thereof and be grievously punished at the King's pleasure.

"And of such as take horse or carts for the King's carriage more than need and take reward to let such horse or carts go, it is provided that if any of the court so do he shall be grievously punished by the Marshalls."

On the misdeeds of purveyors two centuries later compare 28 H. VI. c. 2.

<sup>5</sup> These were debased foreign coins; the pollards were nearly of the fineness of

and crocards forfeit unless they were at once brought to the king's exchange; but he also endeavoured to provide against the continuance of the evil by establishing exchange tables at *Exchanges*.  
 Dover, where foreign merchants or pilgrims going abroad might take their money and have it exchanged for the current coin. The statute takes the form of a writ which was addressed to all the sheriffs throughout England, to the wardens of Berwick, the Cinque Ports and the Channel Islands, the justices of Chester, Ireland, North Wales and Cornwall, and the barons of the Exchequer. Special writs were also addressed to the sheriffs of London and the collectors of customs there, as it was believed that the bad coinage was brought in to pay for wool and the staple commodities of the realm<sup>1</sup>. Exchanging must have been carried on previously, probably by the king's moneymen or some of the officers of the Mint, but the differentiation of this department of business from the coining of money is worthy of attention, as it was symptomatic of the development of English trade; the new arrangement may have been partly due to a desire to take away all excuse for the exercise of this craft for gain<sup>2</sup> by Jews or private persons.

The business of exchange and assay is so closely connected with the work of goldsmiths that it is worth while to call attention here to the statute which regulated their craft; no vessels or ornaments were to be made of worse gold than "of the touch of Paris"; and similarly the touch for silver was to be settled, and no vessels were to be made of worse metal, though they might be made of better. The main interest of the enactment lies in the machinery which was organised to

English sterling silver, but crocards were of a baser white metal. Ruding, *Coinage*, i. 201.

<sup>1</sup> *Statutum de falsa moneta*. The king was determined to keep the jurisdiction on this matter in his own hands, but the commonalty of each port were "to choose two good and lawful men of the same port for whom the electors will be answerable," who were to search for and arrest all who were bringing false money into the realm. It is another interesting instance of communal responsibility.

<sup>2</sup> *Cambium minutum*, a fair charge for the trouble involved in the transaction, which was considerable, as the varieties of coinage current in each country made it very difficult to know their worth. Chaucer's Merchant had great skill in this business. *Canterbury Tales*, Prologue.

A.D. 1272—1307. carry out these objects. It was provided that all “the good towns of England, where any goldsmiths be dwelling, shall be ordered as they of London be, and that one shall come from every good town, for all the residue that be dwelling in the same, unto London for to be ascertained of their touch.” Thus the London custom was to be communicated to the other towns and to hold good there. The whole work of giving effect to the statute was left in the charge of the wardens of the craft in each town; they were to “go from shop to shop among the goldsmiths” and assay the gold with which they were working; silver was to be marked with the leopard’s head, and no articles were to be sold until they had passed the scrutiny of the wardens<sup>1</sup>. This is, so far as I know, the earliest instance when the wardens of a craft gild were recognised by public authority as the agents through whom a parliamentary enactment should be carried out.

To criticise such legislation on the ground that it interfered with the freedom of trade is to misapprehend the whole state of the times,—there was so little security for person and property, so many temptations to chicanery and deceit, unregulated trade was not to be thought of. To substitute for the special customs and privileges of each locality general regulations for the kingdom was a great advance; though charters had done much for the places which obtained them, they were of little use for the general progress of the realm; for local immunities created local jealousies, and in later history we may see how each town and locality was tempted to demand protection and support against neighbouring rivals.

*When local regulation is superseded by general*

Edward did force merchants to use particular ports, and otherwise limited their freedom to trade as they pleased, while his tariff favoured denizens as compared with aliens; but even if modern enlightenment is justified in condemning these regulations, and this is more than doubtful, we need not forget that our country once suffered from a still greater evil in the protection of one locality or one market against others in the same shire; by substituting general regulations for the bye-laws of each locality, Edward was

*trade becomes more free.*

<sup>1</sup> 28 Ed. I. c. 20.

really freeing trade. The statutes of Edward I. mark the first attempt to deal with industry and trade as a public matter which concerned the whole state, not as the particular affair of the leading men in each separate locality. We have already noted the high development of Scotch burghs at the commencement of Edward's reign; they never however profited by the example of the southern kingdom, for their trade was managed—so long as management was in vogue—not so much as an affair of state but rather as the business of traders, who met in their own convention<sup>1</sup> and strove to maintain their local privileges and immunities against all rivals. In Germany trade was not freed till the present century from disadvantages of the same sort as those which the first Edward did much to remove in our own land, by consolidating the trading interests of the various localities and organising a single body economic for the whole realm, instead of merely perpetuating the intermunicipal commerce which had formerly existed.

92. The very success of these measures of consolidation, however, brought into clearer relief a difficulty which had been becoming more and more noticeable for several generations. The peculiar position which the Jews occupied in *The Jews* England has been already described<sup>2</sup>, but as time went on it was impossible that that position should be maintained. They had no place in the social system, but were the personal chattels of the king; and as society was reorganised, and personal connexion with the monarch ceased to be the sole bond which held the different parts together, it became necessary that the Jews should cease to occupy an exceptional position, but should take their place as ordinary citizens, submitting to the same laws and adopting the same usages as their neighbours. There were two well-marked characteristics which rendered it impossible for them to be combined with Englishmen on the same footing; they had a different ethical code—Talmudic, and not Christian—in regard to lawful trading, and they had at all events no readiness to betake themselves to actual labour. The frequency of the

<sup>1</sup> Compare the *Records of the Convention of Royal Burghs 1295—1597*, Preface.

<sup>2</sup> See above, p. 187.

A.D. 1272     outrageous charges brought against them shows how easily popular excitement was inflamed. It is by no means probable, however, that the attitude of the Jews was conciliatory<sup>1</sup>; they were said to be more outspoken in their contempt of Christianity as they grew in wealth, and the story of their attacking a religious procession at Oxford serves at all events to illustrate the embittered feeling which existed<sup>2</sup>, and which rendered it impossible for the Jews to live under the protection of the ordinary law of the land.

*their  
expulsion  
demanded*

A.D. 1215     When there was so much incompatibility of temperament we may surmise that but little was needed to determine Edward to decree their banishment; it is at least interesting to remember that he was following the example of the great baron<sup>3</sup> from whom he had learned the elements of the military art as well as the importance of representative government. Parliament had urged this expulsion nine years before it actually took place; the state of the currency, which engaged Edward's attention at a later time<sup>4</sup>, may have served as an excuse, and it is possible that some pressure was exercised by ecclesiastics. The Lateran Council had taken action in the matter<sup>5</sup>, and a synod at Exeter in 1287 had followed suit with ordinances as to dress and behaviour which tied them down more strictly than before<sup>6</sup>. But whatever the precise occasion may have been, there was a political necessity that persons, who either could not or would not conform to the usages of their neighbours and make a living by ordinary callings<sup>7</sup>, should remove from the society which king Edward was reconstituting.

*and  
enforced.*

It is notorious that king Edward did everything in his power to alleviate the misery which their banishment must cause them. The strongest inducement was put on Englishmen to pay their debts to the Jews before they departed,

<sup>1</sup> Tovey, *Angl. Jud.* 208.

<sup>2</sup> *Ibid.* 168.

<sup>3</sup> Simon de Montfort expelled the Jews from Leicester, and gave a charter promising that they should never return. James Thompson, *History of Leicester*, p. 72.

<sup>4</sup> See above, p. 262. The reiterated accusation against the Jews for clipping the coinage had led to a terrible massacre of them in 1279.

<sup>5</sup> Mansi, *Concilia*, xxii. 1055.

<sup>6</sup> Tovey, *Angl. Jud.* 309.

<sup>7</sup> *Statutes of Jewry*. (Record Edition, i. p. 221.)

as those who did not pay a moiety to the Jews remained in A.D. 1272 debt to the Crown for the full amount till they were remitted by Edward III.<sup>1</sup> The prior of Bridlington had not repaid any portion of the £300 borrowed by him from Bonamy, a Jew of York, at the time of the expulsion ; the Archbishop of York had connived with the prior at concealing the fact that this money was owing to the king, and was as a consequence impeached and condemned to pay a heavy penalty for his share in the transaction<sup>2</sup>. At the time of the actual banishment special injunctions A.D. 1290. were given to the warden of the Cinque Ports as to their treatment<sup>3</sup>, and condign punishment was inflicted on the malefactors who chose to disregard the royal wishes in this matter. The total numbers expelled are variously stated at fifteen or sixteen thousand ; but there is some evidence to show that a considerable section remained behind, and Jewish tradition speaks of 1358 as a year of final expulsion<sup>4</sup>. From a petition in the Good Parliament it appears that even after that date they continued to carry on their business in the character of Lombard merchants<sup>5</sup>. Some few may have been allowed to return ; a Jewish physician named Elias Sabot came from Bologna and was allowed to settle and practise in A.D. 1410. any part of the realm<sup>6</sup>. The continued maintenance of a Domus Conversorum till the seventeenth century suggests that there were at any rate persons of Jewish descent in the country from whom a supply of residents was maintained<sup>7</sup>. There is more reason to believe that the number of Jews living in England was considerably increased by migration from Spain at the time when Ferdinand and Isabella expelled them thence ; it is certain that they did not A.D. 1492. scruple to endeavour to recover their debts in English courts of law<sup>8</sup>, and they are said to have built a synagogue for themselves in London.

*How far complete.*

<sup>1</sup> 1 Ed. III. st. ii. c. 8.

<sup>2</sup> Rot. Parl. i. 99 (18), 120 a.

<sup>3</sup> Tovey, 241.

<sup>4</sup> L. Wolf in *Anglo-Jewish Exhibition Papers*, p. 57.

<sup>5</sup> Rot. Parl. ii. 382 (58).

<sup>6</sup> Rymer, *Fœdera* (orig.), viii. 667.

<sup>7</sup> Wolf in *Anglo-Jewish Exhibition Papers*, 54.

<sup>8</sup> Ibid. 60. *Calendar of State Papers* (Spanish), i. No. 89.

A.D. 1272      93. When the Jews were thus expelled the feeling  
 —1907. against other aliens asserted itself more vigorously than before.  
 Alien merchants The kings as kings had never been averse to seeing foreigners  
 encouraged flocking here, indeed it had been a frequent complaint that they  
 to trade should frequent the realm for commercial purposes. The  
 clauses of *Magna Carta*<sup>1</sup> had granted freedom to foreign  
 merchants; and the towns in their municipal regulations, as  
 well as by their representatives at Acton Burnel, showed  
 themselves anxious to encourage foreigners to come here with  
 their wares<sup>2</sup>. As a matter of fact unless aliens brought them,  
 there was little chance of the country being supplied with  
 articles of foreign produce at all; the presence of merchants  
 from abroad also facilitated the sale of English wool, and par-  
 liament was sometimes inclined to rely exclusively on aliens  
 A.D. 1369 for the transaction of this necessary business<sup>3</sup>. They were  
 indeed forced to pay customs at a higher rate than denizens;  
 but this does not appear to have told seriously in regard to  
 the exportation of any article but raw wool, and so far as the  
 importation of wine was concerned they were hardly at any  
 disadvantage at all. During the reign of Edward II. the ex-  
 pedient was temporarily tried of removing the chief burdens  
 which they bore in addition to those charged to denizens;  
 this step seems really to have been due to a city intrigue<sup>4</sup>,  
 A.D. 1310 and when this failed the new customs were reimposed. But  
 in the face of the measures for encouraging them to frequent  
 this country and for making them comfortable while here, it  
 seems impossible to suppose that these heavier rates were  
 imposed not merely for the sake of raising revenue but from  
 a royal desire to hamper their traffic.

but not to interfere in retail or internal trade. There was, however, a real feeling of jealousy against such aliens as settled here and interfered with Englishmen who were dealing among each other; they were not wanted for

<sup>1</sup> e.g. King John, Apr. 5, 1290, *Rot. Cart.* p. 60 b.

<sup>2</sup> §§ 41, 42.

<sup>3</sup> See for Ipswich, *Black Book of Admiralty*, II. 115.

<sup>4</sup> 43 Ed. III. c. 1. See below, p. 290.

<sup>5</sup> The duties had been imposed by charter in 1303, and the Londoners argued that when the extra customs were abolished the privileges were also at an end. Delpit, *Collection*, p. 42, fol. Schanz, *Handelspol.* I. 898. See above, p. 257, n. 4.

retail trade, and were prevented from following it. The A.D. 1272 London citizens had formulated their own customs for alien <sup>—1307.</sup> merchants, but they were not able to enforce them, and they complained to Edward I. that the citizens who bore the A.D. 1290. common burdens of the town were impoverished by the competition of foreigners, whose stay was unlimited and who carried on business that had formerly been done by natives<sup>1</sup>. The townsmen wished to keep the retail trade in their own hands, as well as the business of catering for the alien merchants; they disliked any interference with callings that were already established, and they had grave suspicions against the aliens of forming rings and enhancing prices<sup>2</sup> if they sold to one another. But perhaps the chief antagonism of the native to the alien merchant arose from the police system <sup>Police responsi-</sup> of the City, which had come in the fourteenth century to <sup>ability.</sup> be closely connected with the gild organisation; no one could obtain the freedom of the City unless men of the same mystery were ready to undertake for him. The alien who continued residing in London was neither under authoritative control nor was he liable for his fair share of taxation. Hence in his first charter Edward III. straitly commanded A.D. 1327. "all merchant strangers coming to England to sell their wares and merchandises within forty days after their coming thither, and to continue and board with the free hosts of the City <sup>Hosts.</sup> (and other cities and towns in England) without any households or societies by them to be kept<sup>3</sup>." The host was responsible for the behaviour of his guests, and strangers were not allowed to lodge about anywhere; on the other hand there is occasional evidence that the free hosts abused their monopoly, and charged exorbitantly for accommodation that was by no means good<sup>4</sup>.

In the ninth year of this reign, however, parliament <sup>Statutes in</sup> passed a statute conferring very large privileges on aliens: <sup>their</sup> <sup>favour,</sup> it enacted that "all merchant strangers and English-born A.D. 1385, and every of them, of what estate or condition soever . . .

<sup>1</sup> The king would not interfere. *Rex intendit quod mercatores extranei sunt ydonei et utiles magnatibus et non habet consilium eos expellendi.* *Rot. Parl. 1. 55* (112).

<sup>2</sup> *Rot. Parl. II. 382* (59).

<sup>3</sup> *Noorthouck, History of London*, p. 788.

<sup>4</sup> *Jusserand, English Wayfaring Life*, 128 f.

A.D. 1272 —1307. might without interruption freely sell the same victuals or wares to whom they would, as well to foreigners as English-born," and this in despite of any local charters to the contrary<sup>1</sup>. The citizens of London, however, claimed the privileges conferred on them in the recently confirmed Great Charter; and Edward, by a charter in the eleventh year of his reign, ordained that nothing should be done by pretext of the late statute which infringed the ancient privileges of the City<sup>2</sup>. The privileges conferred on aliens were somewhat enlarged by another statute, which asserts the right of foreigners to sell to foreigners, all over the kingdom, and sets aside all charters that would hinder them. Possibly as a result of this legislation, however, we find renewed complaints of encroachments towards the end of Edward's reign, and notably in the Good Parliament<sup>3</sup>. The answer which was given to the petition was embodied with more precision in a final charter granted by Edward III. to the City of London; it ordains that no stranger "shall from henceforth sell any wares in the same city or the suburbs thereof by retail, nor be any broker in the said city or suburbs thereof, any statute or ordinance made to the contrary notwithstanding." There was, however, one body whose privileges dated from long before the Great Charter, and the rights of the merchants of High Almaine (Hanse League) were carefully preserved<sup>4</sup>.

*Italian bankers* The great wealth and position which many of the Italian merchants attained, and which enabled them to do business as bankers, exposed them to jealousy, especially when they were promoted to lucrative offices; it is probable that their skill in business and actual wealth made them more suitable agents for many purposes than any native would have been, as in farming the customs, or in carrying on the business of the Exchange<sup>5</sup>. But when the king put such offices in the hands

<sup>1</sup> 9 Ed. III. 1. st. i.

<sup>2</sup> Noorthouck, p. 790.

<sup>3</sup> *Rot. Parl.* ii. 332 (59), 347 (148). In these petitions the dearness of imported goods is referred to, but apparently as due to the decay of English shipping, or to combinations among aliens.

<sup>4</sup> Noorthouck, *History*, p. 792.

<sup>5</sup> John Van and other Lombards were said to have neglected their duties and rendered no accounts. *Rot. Parl.* i. 293 b. They certainly enjoyed most ample immunities. *Bymer, Fædera*, II. i. 68.

of men who had no permanent stake in the country but were <sup>A.D. 1272</sup>  
<sup>-1307.</sup> only partners in some great Italian banking company, he seemed to be enriching foreigners in preference to natives, and their insular jealousy inclined our forefathers to think that foreigners were less likely than Englishmen to be trustworthy when exposed to opportunities of peculation. The jealousy of aliens may be unfair, but it was not altogether unreasoning<sup>1</sup>; it rested on intelligible grounds.

It has already been pointed out that the Lombards were unpopular as the collectors of the papal revenue, and that they were commonly believed to be guilty of usurious bargains of every kind<sup>2</sup>. The expulsion of the Jews left them in undisputed possession of this field for driving a lucrative business, and there was more than one proposal to drive them from the country altogether<sup>3</sup>. The Government had recourse to them frequently in the time of Edward I.<sup>4</sup>; but the general distrust of them was very strong, and the magnates of the realm would easily persuade themselves that there was no harm in indefinitely postponing the repayment *ruined* of the money they had lent, and preferring public to private convenience<sup>5</sup>. This 'stop of the Exchequer' must have <sup>A.D. 1289.</sup> acted almost as effectually as a formal expulsion in rendering Italian bankers unwilling to sojourn in England; in conjunction with one or two other disasters this blow served to shake the prosperity of Florence to its very foundations<sup>6</sup>.

94. The end of the thirteenth and beginning of the <sup>Zenith of</sup> <sub>medieval</sub> <sub>prosperity.</sub> fourteenth century may be taken as the culminating point of a long period of steady and solid progress. The towns which were the centres of commercial life were prospering greatly, and many of them had secured full powers of self-government; their vigorous young life was free to shape itself in the forms and institutions that seemed most favourable in the circumstances of the time. So much attention

<sup>1</sup> Compare the complaints in the Good Parliament. *Rot. Parl.* II. 382, No. 58.

<sup>2</sup> See above, p. 194.

<sup>3</sup> e.g. by Bp Roger of London in 1285. Matthew Paris, *Chronica Majora*, III. 331.

<sup>4</sup> Peruzzi, *Storia del commercio di Firenze*, 174. Hall, *Customs*, II. 180.

<sup>5</sup> Rymer, *Fœdera*, II. II. 1080.

<sup>6</sup> S. L. Peruzzi, *Storia del commercio e dei banchieri di Firenze*, 452, 459.

**A.D. 1272** had been given to the good government of the country generally that intercommunication was more easy and commerce more secure ; while it had not yet advanced so far as to render the gilds merchant and kindred organisations in each town needless, and therefore restrictive, institutions. Municipal regulations were not sensibly weakened, because they were reinforced and their scope extended by parliamentary authority. So far both these powers were working harmoniously on the whole, and there were admirable social facilities for commercial and industrial progress.

*Good govern-  
ment.*

*Arts.* We have ample evidence that this progress was real, and was generally diffused throughout the country. All sorts of arts were cultivated with extraordinary success in the time of Edward I. The monuments of the twelfth century seem to be more substantial, though their apparent massiveness has sometimes concealed grave structural defects, but there is a grace and refinement about the choir of Lincoln and the nave of York to which the earlier buildings can make no claim. Nor was architecture the only art these men cultivated with success ; the west front of Wells shows us their sculpture ; the seven sisters at York are specimens of their glass painting ; their metal work was excellent and their bell foundries unrivalled<sup>1</sup>, and their embroidery was celebrated all over Europe.

*Building.* There is hardly any token of general prosperity on which we may rely with more confidence than the fact that many people are able and willing to expend money in building ; and the buildings of the thirteenth and fourteenth centuries were not merely ecclesiastical. The great fortresses which Edward I. erected in Wales are interesting illustrations of the military engineering of the day, and show what pains the king took to render the principality secure and orderly. The improved system of estate management and account which had come into vogue under Henry III. appears to have borne fruit in many rural districts, for manorial halls were erected on the domains<sup>2</sup>, and massive stone

<sup>1</sup> Denton, *Fifteenth Century*, 54.

<sup>2</sup> The twelfth century manor house consisted of a large hall in which the lord and his retainers dined, and lived and slept ; the chapel, kitchen and other rooms

barns<sup>1</sup> began to supersede the wooden erections, of which a few examples still survive<sup>2</sup>. The reconstruction of London in masonry was going on, and free towns were being laid out on the most approved principles. In town and country alike building was proceeding apace, and better provision was being made for all sorts of different purposes—ecclesiastical or military, rural or urban. Especially we find that attention was directed to the improvement of communications between different parts of the country, and bridges<sup>3</sup> were repaired or constructed in many places; this is in itself an indication of commercial activity.

95. The great change in the mode of raising revenue which was completed during this period is another proof of the steady increase of wealth. The experiment of levying taxes on moveables as well as on real property had been first made by Henry II., and it had come to be one of the main sources of revenue, when the tenth and the fifteenth were definitely fixed in 1334. There were, however, difficulties about the mode of assessment, which was sometimes arbitrary and extortionate; special complaints had been made as to the manner in which the tax was levied in 1332<sup>4</sup>. When a similar grant was made in 1334 it was provided that the royal commissioners were to treat with men of the townships and tenants of ancient domain, as well as with the towns and burghs, and to agree on a composition which should fairly represent the proportion which that town or village should be called upon to pay<sup>5</sup>. The payment which was agreed upon by the representatives of the king and of each locality respectively was henceforth regarded as the sum which ought to be contributed by that place when parliament granted

were separate buildings within the court yard (*curia*) connected with the hall by covered passages (*alcis*) of wood (Turner, *Domestic Architecture*, I. 59). Towards the end of the century it became common to attach a building to the hall, the chamber on the first floor of which (*solar*) was entered by a staircase from the hall; the space underneath was used as a cellar. There are also several examples of houses which seem to have had no hall but consisted of a lofty cellar on the level of the ground, and a solar above it (Turner, I. 5, 6).

<sup>1</sup> There are good examples at Bredon in Worcestershire and Bradford in Wilts.

<sup>2</sup> As at Wigmore Abbey in Herefordshire.

<sup>3</sup> Jusserand, *English Wayfaring Life*, 45.

<sup>4</sup> *Rot. Parl.* II. 448, No. 105.

<sup>5</sup> *Ibid.* II. 447, No. 104.

**A.D. 1272** a fifteenth and a tenth, and no subsequent valuations and reassessments were required. The total sum obtained at this time was nearly £39,000, and from that time onwards a fifteenth and a tenth became a mere 'fiscal expression'<sup>1</sup> for a grant of about £39,000. Englishmen were always endeavouring to render their liabilities definite and import an element of 'certainty' into the taxation they had to pay; the Tudor subsidies and parliamentary assessments, as well as the land tax, were all converted from flexible into fixed methods of raising revenue<sup>2</sup>. From an economic standpoint the change was most advantageous; the taxes levied on real property from time to time were as objectionable as taxes on capital would be in the present day: they swept away hoards which might have been expended on improved buildings, or roads or bridges, or which at any rate would enable the farmer to live through a famine year; they drew directly on possible sources of future wealth. But in levying taxes on moveables it was possible to make exemptions in regard to the requirements of public service, the necessities of life and the prime essentials of future production, though these exemptions were dictated by equitable rather than by economic considerations. The stock of the farm was taxed, but the food and provender in the possession of the villan was exempted in 1225<sup>3</sup>. In some of the later assessments there was a definite limit, and those whose total wealth fell short of ten shillings<sup>4</sup> were exempted altogether, as people with incomes of less than £1.50 are excused from the payment of income-tax in the present day. Once again we may see that the principles which were implied in early practice, though not perhaps explicitly put forward, have been stated and defended by modern writers and financiers as economically sound.

*Customs.*

The practice of raising a large revenue from exported wool was also apparently very defensible. If the foreign demand for English wool was large and growing the whole weight of the payment would fall on the foreign consumer; but even if it somewhat affected the price which foreigners were willing to pay for wool, and the imports were not so

<sup>1</sup> Dowell, *Taxation*, I. 87.

<sup>2</sup> See above, p. 147.

<sup>3</sup> *Ibid.* I. 88.

<sup>4</sup> *Rot. Parl.* II. 447, No. 108

large as if trade had been free, such pressure as fell on the A.D. 1272 English consumer of foreign produce would be comparatively unimportant, for England provided herself with all the main requisites of production; and a slightly increased price of wine, fine cloth and silk would not be a serious injury to the industry of the realm.

96. At the same time the inventories taken for purposes of assessment show clearly that if there had been an increased accumulation of wealth, the ordinary householder had but a small command over the comforts and conveniences of life. A dwelling with an earthen floor, with no carpet, and in which there was hardly any furniture, where meat was served on spits for want of earthenware plates and there was no glass for drinking out of, would seem to imply the lowest depths of squalid poverty; but royal palaces were little better provided till after the time of John<sup>1</sup>, and well-to-do burgesses lived in some such fashion at the end of the thirteenth century. As a matter of fact, life in the middle ages was far more social than it is now; the churches and the halls were the places they frequented; occasional pageants provided them with instruction and amusement; there was little privacy, and hardly any attention was given to private comfort. This is one of the chief difficulties which confront us if we try to compare the condition of the people in different ages; if we merely consider what he could get to eat the mediæval labourer was often better off than the unskilled labourer of the present day; but he seems to have been worse housed and worse clad. After all, in regard to all such comparisons we must remember that the life is more than meat; it is probable that a mediæval workman who awoke in the present generation would greatly miss the social gatherings in which he had taken part, and that if a modern artisan could be transplanted into the thirteenth century he would find little to compensate him for the loss of his tea, his newspaper and his pipe.

For our purpose it is more important to notice that the steady progress of the twelfth and thirteenth centuries was suddenly checked in the fourteenth; the strain of the hun-

<sup>1</sup> Turner, I. 97—104.

A.D. 1272—1307. dred years' war would have been exhausting in any case, but the nation had to bear it when the Black Death had swept off half the population and the whole social structure was disorganised. We need not wonder that the long reign of Edward III. closed amid signs of general discontent and misery, and that the fifteenth century was, with some important exceptions, a time of decay and ruin both in rural and urban districts. A period of recovery came at last, but not till the old social conditions had greatly changed, and the revived industrial life was organised in institutions which differed in many respects from those which were working so successfully in the time of Edward I.

### III. BEGINNINGS OF COMMERCIAL POLICY.

97. We have already seen reasons for believing that Edward III.'s foreign policy was affected, if not dictated, by commercial considerations; and it is necessary that we should now enquire into the nature of the objects which he had in view. The *Dialogus* assumes that prosperity is a good thing<sup>1</sup>, but Edward III.'s legislation implies definite schemes as to the best way of promoting this end. There was one distinct practical object which was pursued throughout his reign, and there were others which were less prominently brought forward. He endeavoured (a) to foster foreign commerce, (b) to plant new industries, and (c) to check extravagance by sumptuary legislation.

*Foreign commerce fostered.* a. There were two reasons why Edward III. might be glad to see the development of foreign commerce. It brought him in a revenue by means of the customs he charged, as has been obvious in previous reigns, when so much attention was given to the collection of revenue<sup>2</sup>, and the organisation of a customs department<sup>3</sup>; the export trade in wool had so much increased that the customs from this one article afforded a very large revenue and it was one of

<sup>1</sup> See above, p. 216.

<sup>2</sup> See above, p. 257.

<sup>3</sup> See above, p. 150.

the main supports on which Edward relied for the maintenance of his armies in the field. But while there was every reason to attend to this department of finance, he and his subjects also valued foreign commerce on the grounds which led *Ælfric's* merchant to magnify his office<sup>1</sup>, as it was the means by which all sorts of goods which were not produced in England could be supplied plentifully, and therefore at a cheap rate. To make imports cheap to the English consumer, and to obtain a high price for English exports, were the implied principles of Edwardian statesmanship; they come out most clearly in the regulations made for the wine and wool trades respectively. Sometimes the dearness of goods was ascribed to the monopoly conferred on the burgesses of the various towns by their charters. Perhaps the strongest statement occurs in a preamble of the first statute of the ninth year, which confers full freedom of traffic on aliens and annuls the charters of privileges under which the burgesses of certain cities had put hindrances in the way of their trading. "Great duress and grievous damage have been done to the King and his people, by some people of cities, boroughs, ports of the sea and other places of the said realm which in long time past have not suffered nor yet will suffer merchant strangers, nor other which do carry and bring in by sea or land, wines, *aver de pois*, and other livings and victuals, with divers other things to be sold, necessary and profitable for the King, his prelates, earls, barons and other noblemen, and the commons of this realm, to sell or deliver such wines, livings, or victuals, or other things to any other than themselves of the cities, boroughs, ports of the sea, or other places where such wines, livings or victuals, and other things to be sold shall be brought or carried, by reason whereof such stuff aforesaid is sold to the King and his people, in the hands of the said citizens, burgesses and other people, denizens, more dear than they should be, if such merchant strangers which bring such things into the realm might freely sell them to whom they would."<sup>2</sup> Aliens appear to have taken great advantage of the freedom thus accorded, for in the seventeenth year of

A.D. 1307  
—1377.

*Cheapness  
to the  
consumer.*

A.D. 1335.

<sup>1</sup> See above, p. 126.

<sup>2</sup> 9 Ed. III. st. 1., preamble. See also c. 1.

A.D. 1307 Edward III. it was found necessary to subject them to direct taxation, according to the length of their sojourn, when it exceeded forty days<sup>1</sup>.

A.D. 1373. English merchants retorted by bringing the same accusation against their rivals, for we read how the burgesses complained at a later date that the combinations of merchant strangers were to blame for greatly enhancing the price of all sorts of foreign merchandise<sup>2</sup>. The desirability of providing the consumer with foreign goods on moderate terms is generally assumed as a primary end to be kept in mind in connexion with foreign commerce.

*Protection for merchants.* These were the objects which Edward appears to have kept before him in trying to encourage foreign trade; among the means he adopted we may notice the increased facilities which were given to travelling merchants.

A.D. 1380. A statutory limitation was imposed as to the fare which might be charged between Dover and Calais<sup>3</sup>; it was fixed at sixpence for a man on foot and two shillings for a man with a horse<sup>4</sup>. But he endeavoured not only to protect their pockets, but their persons on the journey. Edward I. had endeavoured to provide safe travelling for those within the realm, but Edward III. made a beginning of affording protection on the seas.

*Perils of the sea.* The dangers of travelling by sea in those days were enormous; apart altogether from the dangers from perils of the deep, the whole Channel was infested with pirates. The mouth of the Rhine, Calais and S. Malo are mentioned at different times as being their chief haunts, but Englishmen were every bit as bad or worse, and the ordinary shipmen were hardly above having recourse to amateur piracy when occasion served<sup>5</sup>. The portrait which

<sup>1</sup> *Rot. Parl.* II. 187 (13).

<sup>2</sup> *Ibid.* II. 392 (59).

<sup>3</sup> 4 Ed. III. c. 8.

<sup>4</sup> There were organised associations of 'hackney-men' in the fourteenth century who let out horses to hire, and sometimes had them stolen. A patent of 19 R. II. granted additional privileges to those who worked the Dover Road: "Ampliores libertates concessae hominibus vocatis Hackneymen inter London et Dovorem pro conductione equorum suorum ac precium cuiuslibet itineris ac inter cetera quod conductio restituatur si equus in itinere deficiatur." *Calend. Rot. Pat.* 290 b. No. 8. See also Turner, *Domestic Architecture*, 119.

<sup>5</sup> Compare the complaint as to the conduct of the men of the Cinque Ports in 1284, *Annales Monastici*, IV. 157.

Chaucer<sup>1</sup> drew gives us the best picture of the conditions A.D. 1307 under which trading was then carried on<sup>2</sup>. Intermunicipal arrangements may have sufficed in order to the recovery of debts, and to prosecute civil suits<sup>3</sup>, but the towns were not able to protect burgesses from violence in distant places, or to obtain redress from sailors who belonged to no recognised centre of trade. Under these circumstances, appeal was made to the king; as when some Lynn sailors<sup>4</sup> A.D. 1318.

<sup>1</sup> *Canterbury Tales*, Prologue. The Shipman.

<sup>2</sup> The records of the Scotch Burgh Convention are full of interesting illustrations of these points, two centuries later.

In regard to Piracy, these burghs provided at their own expense:

Inlykemaner, that it be proponit to my Loird Regentis Grace and Loirdis foirsaidis, in cais the Quenis Majestie of Ingland will grant and consent that sum of her schippis soll remane upvpon her sea coistis and watteris for purging of the saynn of pyratis, and vtheris wicked personis, That inlykwayis it may be grantit be his Grace and Loirdis foirsaidis to the merchantis of this realm, upon their commoun chargis to set furth ane ship with ane bark for purging of our Soueranis watteris of the saidis pyratis and wicked personis, and for conveying the shippis of this realme langin the cost of Ingland, and vtheris pairtis needfull, from the danger of innemete, during sic tyme as we soll fynd gude; and incalis the samyn be grantit, the commisaris of the burrowis foirsaidis gevis thair commissioun and full powar to the provestis, baillies, and counsallis of Edinburgh, Dondye, Abirdene and Stervelyng for the said schip and bark to provyde men, meit, mynition and all vther furnvsingis necessaer thairto, during quhat time they soll think gude. (1574), i. 27.

At one time the Isle of Wight was practically in the possession of a certain John of Newport, who added piracy to his other crimes: "for he and his hath do so meny gret offendis in the See aboute the Ilond, in morthering the kingis people and his frendis, castyng them owte of har vesselis into the See as thei have be comyng to the port of Hampton, bi the which the kinggis Costumes of his port of Suthampton hath be lost, bi his riot kept uppon the See, of v. or vi M. marks in a yere." *Rot. Parl.* v. 204 (2).

The royal power was also called into requisition to enforce demands for redress where the municipal authorities failed. "Testatum est per Cancellarium et clericos Cancellarii quod quando communitas alicujus villa testatur per commune sigillum eorum quod ipsi per bonam probationem et testimonium fide dignorum intellexerunt quod illi cui Rex scripsit noluerunt parere mandato suo, quod extunc Rex faciat arrestare infra regnum suum bona hominum parcium illarum ad valenciam &c. Ideo querens (Henry Gare, merchant and citizen of Norwich) habeat breve de Cancellario ad arrestandum et salvo custodiendum &c., hoc tamen adjecto, quod nichil de bonis arrestatis amoveatur absque Consilio Domini Regis." *Rot. Parl.* i. 200 (56).

Bymer, *Faderia* (Record), ii. i. 206, 207. See also for Grimsby merchants, ii. i. 110, 133. The Lincolnshire and Norfolk coast may have been specially exposed to attack, but there is frequent mention of mishaps attending Lynn vessels. A ship with lampreys and other supplies bound for Perth was attacked by Stralsund pirates who slew some of the crew and carried off the cargo to Aberdeen where they sold it. The Stralsund authorities treated with scorn all

A.D. 1307 *—1377.* *Reprisals.* were imprisoned by Haco, king of Norway. The simplest means of giving some sort of redress was to allow the aggrieved party to seize the goods, in England or on the seas, of men who hailed from the same region, in the hope that the penalty would fall on the right shoulders at last. Thus when Bordeaux merchants had their wines taken from them by Flemish pirates they procured letters of reprisal against Flemish merchants in England<sup>1</sup>. The injurious effect on the honest trader of this granting of letters of reprisal can hardly be exaggerated, as the prospect of recovering the loss from a fellow-subject must have been small; but it must have been an even more hopeless matter to find your goods taken on account of a debt incurred by the king to some foreigner: yet this was the fate of an unhappy merchant of York, who lost £109 worth of wool, which was taken by a Flemish noble on account of a debt due from Edward III.<sup>2</sup> That the fear of reprisal acted as a deterrent to keep men from trading need scarcely be pointed out. The merchants of the Abbot of Fécamp were threatened with being held liable for some losses incurred at the hands of their masters, and not unnaturally absented themselves from England<sup>3</sup>. Matters did not improve as time went on, and during the fourteenth and fifteenth centuries a sort of licensed private warfare was threatened or carried on between English merchants and

letters demanding redress, and Edward II. had to interfere (1318). *Dalpitt, Collection*, No. cxvii. The arguments about a robbery at Boston Fair by some Zealanders (1358), the responsibility of the community, and the mode of procedure, are given by Blomefield, *Norfolk*, xi. 344.

<sup>1</sup> *Rot. Parl.* i. 379 (74).

<sup>2</sup> *Ibid.* ii. 353 (178).

<sup>3</sup> To the petition of John de Barton, and his fellowes English Merchants, shewing, That whereas they were within the jurisdiction of the Abbot of Fiscamp with a certain ship, laden with diverse Merchandise, the said Abbot and his Men entered the said Ship, and the goods and chattels &c. to the losse of co. li. which summe is found in the Chancery for which hee should make restitution; who obeyed not; of whom our Lord the King is certified in his Chancery: whereof hee comanded sundry Sheriffe by his write to levie to the value of the foressaid goods of the Merchants of the foressaid Abbot coming into England, which Merchants have absented themselves from England. Wherefore they pray that it would please the King to grant a Writt of the said Exchequer to bee made against the said Abbot of his goods and chattels, lands and tenements, which he hath in England. It is answered, Let the Petition be delivered in Chancery, and let the petitioners come thither, &c. And if the Abbot be found a trespasser or mainteyner or that the goods come to his profit, then let execution be done. *Rot. Parl.* ii. 439.

people of Norway, Prussia, Flanders, Scotland, Spain and <sup>A.D. 1807</sup>  
 Genoa. Even if it was the only way of putting pressure on  
 foreigners to look after the piratical tendencies of some of  
 their subjects, it must have been ruinously costly.

The assertion of the *sovereignty of the sea*<sup>1</sup> was a states-  
 manlike endeavour to put down this public nuisance and <sup>sovereignty  
 of the sea.</sup>  
 establish the king's peace; and the granting of letters of  
 safe conduct, for which special payments were made<sup>2</sup>, was the  
 first form in which the Crown gave protection to its subjects  
 when travelling by sea, or at any rate attempted to give it<sup>3</sup>.  
 They also endeavoured to organise a fleet which might sail <sup>Fleets.</sup>  
 together under convoy. Thus in 1353 Edward III. pro-  
 claimed that the vessels sailing for Gascony should all  
 assemble at Chalcheford<sup>4</sup> on the day of the *Sept. 8.*  
 Virgin and sail thence together under the charge of royal

<sup>1</sup> The title *Dominus Maris Anglicani circumquaque* had been explicitly claimed by Edward III. early in his reign, and when by the taking of Calais he had established English power on both sides of the Channel, he coined a golden noble, an engraving of which may be seen on the title-page, and which had on the reverse, a ship and a sword, to serve as emblems of sovereignty at sea. The earliest document which asserts this right is a memorandum of 12 Edward III. The claim to the sovereignty of the sea involved many rights—those of fishing and diving for pearls, or of property in the products of the sea; rights of taking tolls for the use of the sea; right of free passage for ships of war; and the right of jurisdiction for crimes committed at sea. C. Armstrong, *Sermons and declarations against Popery* (1590), stands almost alone in protesting against the assertion of this sovereignty; as he held that the increased trade, for which it gave facilities, was not really beneficial like that in old days; then aliens had brought bullion to buy within the country instead of importing artificial wares to exchange, and so competing with our craftsmen; but his objection shows that this stroke of policy benefited English merchants. In the fourteenth and fifteenth centuries the claim had important practical bearings in regard to the duty of repressing piracy. Twiss, *Black Book*, i. lvii.

In the seventeenth century, when the success of the Dutch in prosecuting fishing off our coasts was exciting great jealousy, and when their commerce was rapidly developing, the nature of English rights became the subject of very vehement discussion; Grotius attacked the claim as absurd (*de Maris Libero*), and Selden replied with much learning (*Mare Claveum*). The historical justification, such as it was, of the claim, is stated by Sir John Borroughs, *Sovereignty of British Seas* (1651).

<sup>2</sup> On the Constitutional aspect of these extra payments see Hall, *Customs*, i. 167 n.

<sup>3</sup> *Rot. Parl.* ii. 166 (11) give a curious case of failure to afford the promised protection.

<sup>4</sup> This was probably Calshot Castle outside Southampton Water, a point which was known as Calshord (11 H. VII. c. 5). The Gascony trade had flourished there in the time of Edward I. *Rot. Parl.* i. 193 (10).

A.D. 1307  
—1877. *Safe conduct.* officials<sup>1</sup>. But these measures were not very effective. In fact the losses by sea were so frequent on the part of men who had arranged for safe conduct across the narrow seas<sup>2</sup> that commissioners were appointed to enquire into this grievance in 1347. They served to indicate good intentions, and at length it came to be recognised that those who paid customs should have such protection as a matter of right, and not as a luxury to be specially paid for.

*Planting new industries.* b. The efforts of Edward III. to plant a new industry in the country were made at a singularly fortunate moment. His connexion by marriage with Hainault may probably have rendered the weavers of the Low Countries more willing to settle in England, and there is thus a close parallel between

*The second Flemish immigration of* this second immigration and the earlier invasion of artisans from the Low Countries in the time of the Conqueror and Queen Matilda<sup>3</sup>. There is ample evidence that the weavers' trade was carried on in many towns in the twelfth century for we find notices of their gilds. At the same time it is also clear that a supply sufficient for the home market was

A.D. 1297 not produced in England<sup>4</sup>. The aulnager in Edward I.'s time visited fairs<sup>5</sup>, and the statute of 1328 which enforces the performance of his duties<sup>6</sup> shows that some of the cloth was brought to England for sale. On the other hand it is equally clear that there were clothiers working in England as early as the time of Richard I., when an ordinance was issued

A.D. 1197 regulating the width of which cloth should be made, and insisting that it should be of the same quality throughout<sup>7</sup>.

A.D. 1326 Edward II. encouraged the native industry<sup>8</sup> by prohibiting

<sup>1</sup> Delpit, *Collection*, cl.xv.

<sup>2</sup> *Rot. Parl.* ii. 171, 172 (58, 59).

<sup>3</sup> Professor Ashley in his interesting monograph on the *English Woollen Industry*, p. 40, refers to the immigration in Edward's time as the first.

<sup>4</sup> At the Oxford Parliament of 1258 the barons decreed that English wool should not be exported, but manufactured in England, and advised the people to be satisfied to wear the coarse cloth they were able to make (Walter of Hemmingburgh, i. 306). A similar line was taken by Henry de Montfort in 1264 (*Annales Monastici*, iv. 158). See for other attempts p. 181 n. above, also p. 392 below. Prof. Ashley ascribes such measures to a desire to create a wool famine in Flanders, and thus attain political ends, rather than to any settled economic policy for England.

<sup>5</sup> Smith, *Chronicon Rusticum*, i. 37. Madox, *Exchequer*, 538.

<sup>6</sup> 2 Ed. III. c. 14.

<sup>7</sup> Riley, *Mem.* 149, 150.

<sup>8</sup> Roger of Hoveden, *Chronic.* iv. 33 (Rolls).

the export of certain materials, but the action of the A.D. 1307  
aulnager gave rise to complaints<sup>1</sup>. —1377.

Indeed one of the inducements which Edward offered *weavers* when he tried to persuade the Flemish weavers to come and settle in England was the promise to give them "franchises as many and such as may suffice them"; and in this appears to have been included a certain liberty in the matter of the length of the cloths they made. The first letter of protection was given in 1331 to a Fleming named John Kemp<sup>2</sup>, who had come with servants and apprentices, both weavers, fullers and dyers. He and his were to enjoy *and dyers.* the king's protection, and were encouraged to exercise their craft and instruct those who wished to learn. Similar letters were issued in 1336 on behalf of two men of Brabant who had settled in York<sup>3</sup>; a general measure was also passed and in the next year special protection was accorded to a number A.D. 1337. of immigrants from Zeeland<sup>4</sup>.

This promised protection would not of course have *Induc-*  
*ments.* induced the Flemings to migrate unless they had been anxious to come, but there were various circumstances that made their old homes less attractive than formerly. The Flemings had suffered severely at the hands of Philip of A.D. 1328. France<sup>5</sup>; and there was also a struggle going on between the burgesses in Bruges' towns and the village<sup>6</sup> weavers which may have disposed some of the latter to migrate. The superior attractions of England have been painted in glowing terms by Fuller: "The intercourse being settled between the English and Netherlands, unsuspected emissaries were employed by

<sup>1</sup> *Rot. Parl.* II. 28 (50). The manufacture had apparently been planted within recent memory (II. 409, No. 175), but certainly existed at Worstead before 1315. *Rot. Parl.* I. 292 (18).

<sup>2</sup> Rymer, *Federa* (Record), II. 828.

<sup>3</sup> *Ibid.* 954.

<sup>4</sup> *Ibid.* 969.

<sup>5</sup> Longman, I. 26. Edward's own statement is startling. "Cum nonulli homines diversarum mesteriarum de Flandrie, pro adhesione sua parti nostre, a dictis partibus banniti, et alii partium earumdem ob affectionem quam ad nos habent ad dictam civitatem (London) et alia loca regni nostri Anglie pro mesteris suis exercendis et victu suo per labores querendo accesserint." Delpit, CLXVIII. A case of the banishing of Flemish weavers to England as a punishment occurred in 1344. Diegerick, *Inventaire*, II. 185.

<sup>6</sup> *Rot. Parl.* II. 166 (10). For further details see Diegerick, *Inventaire*, II. 125; the quarrel at Ypres was as to the kind of cloth woven. *Ibid.* II. 124, 126, 127, 134.

A.D. 1307 our king into those countries, who wrought themselves into familiarity with those Dutchmen as were absolute masters of their trade, but not masters of themselves, as either journeymen or apprentices. These bewoaned the slavishness of these poor servants whom their masters used rather like heathen than Christians; yea, rather like horses than men; early up and late in bed, and all day hard work, and harder fare (a few herrings and mouldy cheese), and all to enrich the churls, their masters, without any profit to themselves. But how happy should they be if they would but come into England, bringing their mystery with them, which should provide their welcome in all places. Here they should feed on beef and mutton, till nothing but their fatness should stint their stomachs...Happy the yeoman's house into which one of these Dutchmen did enter, bringing industry and wealth along with them. Such who came in strangers within doors soon after went out bridegrooms, and returned sons-in-law, having married the daughters of their landlords who first entertained them; yea, these yeomen in whose houses they laboured soon proceeded gentlemen, gaining great worship to themselves, arms and worship to their estates".

*Protection.* The king, moreover, conferred substantial privileges on the new industry; he prohibited the export of English wool, so that the clothworkers might have the material cheap; he insisted that all Englishmen should wear native cloth, and limited the class who might wear fur, while he forbade the importation of foreign cloth<sup>1</sup>. The clothworkers had thus a complete monopoly of the market. But this could not have been long, if indeed it was ever, enforced<sup>2</sup>. At the same time the fullest security was promised to weavers who chose to come from any country whatever and settle under the king's protection in England, Wales or Ireland<sup>3</sup>. Whether

<sup>1</sup> *Church History*, Bk. III. § 9.

<sup>2</sup> 11 Ed. III. cc. 3, 4.

<sup>3</sup> Compare 27 Ed. III. st. 1. c. 4, where attention is given to the complaint that foreign merchants have withdrawn themselves and the grievances of foreigners importing cloth are redressed.

<sup>4</sup> *Statutes*, 11 Ed. III. cc. 1—5. The London weavers were by no means disposed to welcome the immigrants. See below, p. 312. Compare the case in 1340 at Bristol where Thomas Blanket had to pay for setting up a loom in his own house. *Pryce, Canynges*, 49.

all this protection was necessary to secure a footing for the <sup>A.D. 1307</sup>  
~~—1377.~~ new manufacture or not<sup>1</sup>, the interests of the consumer were not entirely forgotten for the aulnager and his officers were supposed to exercise a sufficient supervision as to the character of the cloth exposed for sale. It is, of course, possible that Edward might have accomplished his object more speedily if he had made his effort in some other form; but the fact remains that he did introduce the manufacture of the 'old drapery,' which was prosecuted so successfully that the export of raw wool declined as the home manufacture came to flourish more and more<sup>2</sup>. It is interesting to observe, too, how closely many subsequent efforts to plant new industries followed on the lines which Edward III. laid down, and secured a monopoly to the craftsmen, while they at the same time tried to insist on a high standard of excellence in the wares produced.

This does not appear, however, to have been the only *Clock-makers.* attempt of the kind that was made during the reign of <sup>Promoting</sup> ~~thrift.~~ Edward III. In 1368<sup>3</sup> three clockmakers from Delft were encouraged to settle and ply their trade in London; and the craft of linenweavers was also introduced before the end of the century<sup>4</sup>.

c. The measure which has been already noticed in regard <sup>Promoting</sup> ~~thrift.~~ to the wearing of furs was at any rate partially protective; there were, however, other sumptuary laws which had no similar excuse, but were merely intended to check idle extravagance and to promote thrift. The chroniclers are agreed that the success of the English arms on the Continent and the loot which was brought from France tended to demoralise the nation in this respect; but even before this time there was a great increase of extravagance. We can see it in the accounts which survive of tournaments; the subjects might certainly plead that if they did indulge in costly display they were only following the example the king had set them, especially on his visit to the emperor, when apparently he

<sup>1</sup> Mill, *Political Economy*, Bk. v. 10, § 1.

<sup>2</sup> Hall, *Customs*, II. 139. See below, p. 389.

<sup>3</sup> Noorthouck, *History of London*, p. 72.

<sup>4</sup> *Firma Buri*, 197. Harland refers to the linen manufacture as introduced from Flanders in 1253. *Collectanea*, I. 78.

A.D. 1307  
 —1377.  
 Food.  
 A.D. 1366. was forced to pawn his crown<sup>1</sup> in order to get money for himself and his retinue. In the earlier part of his reign he had legislated against luxurious living; “No man shall cause himself to be served in his house or elsewhere at dinner, meal, or supper, or at any other time with more than two courses, and each mess of two sorts of victuals at the utmost, be it of flesh or fish, with the common sorts of pottage, without sauce or any other sort of victuals: and if any man chose to have sauce for his mess he well may, provided it be not made at great cost: and if flesh or fish are to be mixed therein, it shall be of two sorts only at the utmost, either fish or flesh, and shall stand instead of a mess<sup>2</sup>.” A later statute regulates the apparel of every class of the community. It appoints the diet and apparel of servants, of handicraftsmen and yeomen, as well as their wives and children; it explains what apparel gentlemen under the estate of knights may wear, what knights with lands of 200 marks may wear, and what those with 400 marks may have; and includes details for the guidance of merchants, citizens, burgesses, and handicraftsmen, the several sorts of clerks and ploughmen and men of mean estate. At the same time it insists that clothiers shall make sufficient cloth at the various prices permitted to different classes, so that there may be no excuse for infringing the law<sup>3</sup>. It appears at first sight that the artisans of this period—just after the Black Death—must have been in most prosperous circumstances if they could attempt<sup>4</sup> to wear the fabrics that are forbidden to them by this and subsequent sumptuary laws; but we must remember that expensive clothes might be procured for occasional use at civic and ecclesiastical functions, by those who were habitually clad in very coarse fabrics. The change of social habits and of the purpose for which clothes were bought may mislead us, if we merely compare prices, and assume that the clothes were meant to be frequently worn, and worn out by the original purchaser as they usually are now. We should think it odd in the present day if a lady

<sup>1</sup> Longman, *Edward III.* 1. 170.

<sup>2</sup> 10 Ed. III. st. iii. *De cibariis utendis.*

<sup>3</sup> 87 Ed. III. cc. 8—15.

<sup>4</sup> Doubleday, *True Law of Population.* Eden, *Hist. Poor.* 1. 69.

left her clothes in her will to be made into vestments for a church<sup>1</sup>, but this was formerly a usual bequest. —1877.

If we for a moment ignore the means by which these ends in view. were pursued, and look only to the objects aimed at, we may find that the commercial policy of Edward III. harmonises more closely with modern principles than do the schemes of his successors. He desired to increase the volume of trade, and he legislated in the interest of the consumer, and in disregard of the claims of particular classes, and so do we. He endeavoured to develop a manufacture for which the country was specially suited, and to do so he showed himself completely cosmopolitan in inviting foreign artisans. We could find ample parallels to his proceedings in our colonies, if not in the mother country, to-day. He set himself to encourage thrift among the labouring population—more, it is true, by precept than example—and modern economists, especially of the Ricardian type, have followed on the same line. The necessity of procuring large supplies forced him at times to make heavy demands from the commercial classes, and to levy heavy taxes either in money or in kind, but he did not consciously and habitually subordinate economic to political interest, in fact it would be more true to say that, as in modern times, his policy was very greatly determined by a desire to promote economic interests.

98. While Edward III. thus made some new departures in the objects of his commercial policy we may see how he also maintained the modes of organisation and regulations with which we are already familiar.

Edward I. had named certain ports and forced the wool *The staple* trade into particular channels so that the collection of the customs might be facilitated; Edward III. carried this still further by the ordinances he made for the *staple*. The earlier history of this great institution is involved in much obscurity; the merchants claimed to date as a separate body from the time of Henry III., and that there was some sort

<sup>1</sup> Also I will that myn apparell be made in vestimentes and ornamenteis of the churche and to be given to Malteby, Kegworthe and Nonyngton. Dame Maud Parr (1529) in *Wills from Doctors' Commons*, Camden Society, p. 17. See also Lady Ela Sharde lowe (1457), *Bury Wills*, p. 18.

A.D. 1307 of recognised association of English merchants trading to  
 —1377. Flanders is certain from the mention of their mayor in 1313<sup>1</sup>, when he was sent to settle certain disputes that had arisen. The existence of such a body does not, however, prove that there was one definite mart which they frequented to the exclusion of others; and the evidence of the *Hundred Rolls* renders this more than doubtful<sup>2</sup>. A patent was  
 A.D. 1375 issued, however, also in the same year—the 6th year of  
 organised. Edward II.—“pro certa stapula pro mercatoribus Angliae in partibus transmarinis ordinanda ac libertate pro majore eorum<sup>3</sup>. It is clear that Englishmen had before this time frequented diverse marts in Brabant, Flanders, Antwerp; but this patent<sup>4</sup> insists on the evils that had arisen from allowing merchants, whether native or alien, to ship wool to any port they chose, and enjoins the “mayor and communaltie of merchants of the realm” to fix on one certain staple in the Low Countries to which all wool should be taken; the mayor and council of the said merchants were empowered to enforce this regulation; subsequently the customers at the various ports  
 A.D. 1390. were informed of the arrangement<sup>5</sup>. This plan failed to give satisfaction, and at the beginning of his reign Edward III. enacted that “all staples beyond the sea and on this side, ordained by kings in time past should cease<sup>6</sup>,” but he did not maintain this perfect freedom of trade. It is indeed possible that it did not answer well, and that merchants preferred to have one assigned mart where English produce might be regularly supplied and which those who wished to purchase it might frequent.

It has been argued that in early times, when the stream of commerce was too feeble to permeate constantly to all parts of the country, the concentration of trade at certain staple towns or at fairs was advantageous to industry and

<sup>1</sup> Rymer, *Fœdera*, II. 202.

<sup>2</sup> See above, p. 168.

<sup>3</sup> *Calend. Rot. Pat.* p. 75, n. 5.

<sup>4</sup> Delpit, *Collection*, xviii. (Canterbury, May 20, 1313). Delpit dates it 1312, but the reign began on July 7.

<sup>5</sup> Hakluyt, *Voyages*, I. 142. This is not given in Rymer; it embodies the patent quoted above, and was given from Dover on June 18, 1390; there was thus a farther attempt to carry out the policy adopted in 1313.

<sup>6</sup> 2 Ed. III. c. 9, *Statute of Northampton*.

commerce<sup>1</sup>. To this it may be added that a number of A.D. 1307 English merchants who frequented one mart might have <sup>—1877.</sup> <sup>Its</sup> political and judicial privileges granted to them such as they *advantages*. could not have hoped for, unless they gave a *quid pro quo* by pledging themselves to frequent that town<sup>2</sup>. At the same time there certainly were merchants who preferred to go to other ports, as we find that they were willing to pay for royal licences<sup>3</sup> to make shipments of wool to other places than Calais, when the staple was fixed there. But as the *Merchants of the Staple* were already organised<sup>4</sup>, we may believe that in fixing a particular mart for English produce Edward was carrying out the views of contemporary merchants; the prohibition of staples had not continued very long, for one was regularly established in Flanders in 1343.

There were grave complaints as to the conduct of the *Monopoly at Bruges*. men of Bruges, where the staple was then held. They tried to monopolise the supply for Flemish towns, and prohibited the export of wool by the Italian and Spanish merchants <sup>A.D. 1344, 1848.</sup> <sup>Italian merchants.</sup> who frequented the mart<sup>5</sup>; they even put unnecessary hindrances in the way of Brabant dealers, and the large towns prevented the weavers of the smaller villages from coming <sup>A.D. 1347.</sup>

<sup>1</sup> W. Roscher, *Englische Volkswirtschaftslehre*, 138.

<sup>2</sup> The Scotch merchants appear to have found it best to fix a staple, and not to have an open trade. It is interesting to notice the privileges for which they bargained, in fixing their staple at Campfer in 1586, when they made the following demands: 1. The confirming of old privileges. 2. Providing a better passage for the entry of ships. 3. To have a berth on the docks where their ships could lade and unlade without disturbance from the fishermen. 4. Protection against extortion on the part of the custom-house officers. 5. All customs to be charged according to an authoritative list. 6. Security against double exaction of the customs. 7. Freedom from 'convoy gilt.' 8. Reasonable charges by artisans and warehousemen. 9. So too by pilots and fishermen. 10. To have premises assigned for their merchants to live in. 11. That their conservator should not have soldiers billeted on him. 12. That in all quarrels between Scotchmen and townsmen the conservator should be heard by the Court before judgment was given. 13. That in criminal suits among Scotchmen the trial should be conducted by the conservator. 14. That he should have a place assigned him for use as a prison. 15. That they should have a chapel for their own form of preaching and prayers. *Records of Convention*, i. p. 57.

<sup>3</sup> *Rot. Parl.* ii. 323 (17), v. 149.

<sup>4</sup> But is it certain they have a continuous existence? Must they not have been reorganised when they are spoken of in 1363 as the *new Company of Merchants at Calais*? *Rot. Parl.* ii. 276 (11). Possibly they were newly regulated not merely as a group of traders but as a 'fiscal organ.'

<sup>5</sup> *Rot. Parl.* ii. 149 (5), 202 (18).

A.D. 1307  
—1877. to buy<sup>1</sup>. For these evils a remedy which had been proposed<sup>2</sup> some years before was adopted in 1353, and the staple was removed to England. The reasons for this step are very curious; the free concourse of aliens to this country was already permitted, so that the Englishman hoped they would no longer suffer from the restrictive regulations of the people of Bruges but would have a better market; and the competition of buyers from many lands would raise the price of wools. This was possible, but it is not at all clear that the loss which arose from the perils of the deep and from piracy<sup>3</sup> would be reduced because the staple was removed; it would however fall on aliens and not on English subjects, and it almost appears as if parliament did not realise that the Flemings would recoup themselves for undertaking these risks by paying less for wool in England than they did in Flanders. At any rate they deliberately transferred the export trade to aliens by prohibiting Englishmen from engaging in it at all, and as the customs which aliens had to pay were much higher than those of denizens (10s. instead of 3s. 4d. per sack) this would put another hindrance in the way of trade and a very decided obstacle to any rise in the price of wool. Their last point, that the holding of the staple in England would give a better opportunity for preventing the introduction of inferior money of foreign coinage was probably sound, and there was also an advantage in having the merchants within reach, if there was occasion to distrain any of them for debt<sup>4</sup>.

*Organisa-  
tion of the  
staple*

The *Ordinance of the Staple*, which carried out this policy, named Newcastle, York, Lincoln, Norwich, Westminster, Canterbury, Chichester, Winchester, Exeter and Bristol, as staple towns for England; and for each of those which was situated inland a special port was appointed; as Hull for York, Yarmouth for Norwich, and Sandwich for Canterbury. Careful arrangements were made between the mayors and the Customers to secure the due payment of the king's

<sup>1</sup> *Rot. Parl.* ii. 166 (10).

<sup>2</sup> *Ibid.* ii. 148 (58).

<sup>3</sup> It is of course possible that the English merchants suffered from Flemish pirates, and that parliament believed they would not attack Flemish merchants in the same way.

<sup>4</sup> See below, p. 874, also p. 439.

taxes. Every facility was given to foreign merchants to A.D. 1307 frequent these marts, and they, like the king's subjects, were to be free from the exactions of purveyors on their journeys thither. All the transactions at these staples were to be taken out of the jurisdiction of the justices and the common law, and settled by the Mayor of the Staple according to law merchant while alien merchants were to be chosen as assessors; arrangements were thus made for doing speedy justice from day to day and hour to hour. All sorts of other inducements were held out so as to induce the foreign merchant to frequent these marts; rents were to be reasonable, aliens might sell by retail if they wished (c. 11), no man was to be impeached for another's debt, and their oaths were to be accepted as to the value of the merchandise they brought when *ad valorem* dues were levied (c. 26)<sup>1</sup>. Everything was done which might attract the foreign merchant here, and bring about a good competition for our wool; but the experiment was not altogether successful, the fees charged by the officials were exorbitant and had to be reduced by an ordinance<sup>2</sup> in 1354; parliament preferred to have the trade more concentrated, and although there were some changes, the staple was generally speaking fixed at Calais<sup>3</sup>, which of course offered at Calais A.D. 1363.

<sup>1</sup> *Ordinance of the Staple*, 27 Ed. III. II.

<sup>2</sup> *Ordinatio de fodiis Stapule*. It is not quite clear whether this was issued in the twenty-seventh or twenty-eighth year, but the earlier date would only allow for a couple of months experience of the evils complained of.

<sup>3</sup> This appears to have been proposed in 1362, with the hope of raising the price of wool and redressing other evils. Item pour cause que les Leines du Roialme sont mis a petit value, tant pour cause que eles ont amenes hors du dite Roialme en autri Seignurie et Poair ou notre dit Seignour le Roi n'ad Jurisdiction, ne les mesprisions et outrages faits a les Subgiz poit redrecesser, n'amender, come pur somers Echanges des Monoies et feblesse d'ycelles, et plusieurs autres damages et mischiefs ad este parle et monstre au Conseil notre dit Seignour le Roi plusieurs fois que bon serroit mettre remedie: Et que la Ville de Caleys qui est a notre dit Seignour le Roi et en il ad plein Jurisdiction, serroit bon place et lieu convenable pur les Leins et demoer des Marchantz, pur eschuer les meschiefs et damages suiesditz et par tant le pris de Leines serront amender et enhancer: Quels choses notre Seignour le Roi serra plus overtement monstrar as ditz Grantz et Communes, d'avoir sur elles leur bon aviz et conseilles. Et outre feust dit que si nul se sente grevez, mette sa Petition en ceo Parliament, et il en avera convenable Respons. *Rot. Parl.* II. 268.

The policy of discouraging native merchants to go abroad had apparently been reversed before this time, as the Englishmen at Bruges, who had suffered much in status and position since the staple had been removed to England, were allowed to

A.D. 1307 all the advantages of an English town to the Italian or  
—1377. Brabant merchant.

*Maintaining a high price for wool exported.* All through the legislation about the wool trade we see an anxiety to keep up the price and make continental towns pay heavily for our product. There were few competitors in growing wool on a large scale at that time<sup>1</sup>, as the great arrangements for pasture farming in Spain<sup>2</sup> date from the middle of the fourteenth century—the time of the Black Death. Under these circumstances there was no need to force a market by supplying wool at a cheap rate: there was little danger that the fleeces would be left on the hands of the growers, and their chief anxiety was to get as good a price as possible. The high price of wool would be felt more severely in proportion by the native weavers who produced coarse cloth than by the foreigners; but it was doubtless thought that they could recoup themselves by charging more for their cloth, though this did not give satisfaction when they tried it in London in 1321<sup>3</sup>. But on the whole the tendency in all ages before our own has been to suppose that we should only send out of the country the surplus commodities which we could not use ourselves and that the higher the rate which foreigners paid, the better it was for the country.

A.D. 1348. The curious Assize of Wool embodied in the Appendix<sup>4</sup> shows what pains were taken to prevent dealings in this staple organise themselves and have a mayor in 1359. (*Rot. Stap. 27—46 Ed. III. m. 11, Tower Records, Record office.*) See Appendix C. These merchants were apparently predecessors of the Merchants Adventurers.

In 1369 owing to the war it was necessary to move it back into England, *Rot. Parl. ii. 301 (24)*, and there was the same sort of vacillation in 1390 and 1392. *Hall, Customes*, i. 235.

Armstrong's *Treatise concerning the staple and the commodities of the realm* (1519) is well worth perusing in this connexion, as in regard to all matters connected with rural economy, industry or commerce during the centuries immediately preceding the Reformation. He argues that the removal of the staple to Calais was beneficial to the merchant class but injurious to the general public, p. 20.

<sup>1</sup> Thorold Rogers, *Economic Interpretation*, 9.

<sup>2</sup> On the organising of the *mesta* see Bonwick, *Romance of the Wool Trade*, 40. There must however have been some importation long before that time as we read of the manufacture of Spanish wool in England in 1262 at Andover, Gross, *Gild Merchant*, II. 4, also Madox, *Firma Burgi*, 199. On the quality of Spanish wool see Armstrong's *Treatise*, p. 28; see below, p. 892, n. 7.

<sup>3</sup> *Liber Custum.* (Bolls), 416—425.

<sup>4</sup> Appendix D. *Federa*, II. 1225. 20 May, 1348.

commodity at any low prices; there was a hope that by <sup>A.D. 1207</sup> ~~enhancing the prices of the wool in England it might be~~ <sup>-1877.</sup> possible to draw more money into the country<sup>1</sup>; it reinforces the scheme which had been in vogue before the Conquest<sup>2</sup>.

99. In regard to imports the main object of policy was <sup>Import trade.</sup> just the reverse, as it was deemed desirable that these articles should be obtainable on easy terms by consumers. A great deal of care was devoted from the time of King John to the management of the chief branch of import trades—that in wine, in the hope of rendering it plentiful and cheap<sup>3</sup>.

Edward I. gave the Gascony merchant privileges which <sup>Wine.</sup> roused antagonism in the city of London<sup>4</sup>, and Edward II. <sup>A.D. 1289.</sup> continued this protection and had recourse to severe threats against the authorities of the city<sup>5</sup>; the men of Cologne had similar privileges<sup>6</sup>. The reason of his anxiety that these merchants should be encouraged to visit London, becomes apparent in the regulations he issued for the sale of wines<sup>7</sup>; <sup>A.D. 1310.</sup> the king and nobles were to have an opportunity of purchasing before the wine was offered to the public; the prices at which the different qualities were to be sold are defined; arrangements are made for the callings of the 'grocer' and the taverner respectively, and precautions are taken about the assay of wine. The charge of this was to be in the hands of the mayor and aldermen, as they were to choose twelve jurors to test the quality of the wine; and no taverner might sell it by retail till it had passed this scrutiny.

These regulations for the price of wine were not confined <sup>Home-grown and</sup> to London but extended to the provinces as well. There had been many vineyards in England in Roman and Norman times, and the manufacture was not wholly extinct<sup>8</sup>. The

<sup>1</sup> *Rot. Parl.* II. 138 (17).

<sup>2</sup> *Laws of Edgar.* See above, p. 124.

<sup>3</sup> King John established an assize of wine, fixing the price at which the wines of Poitou and Anjou were to be retailed, and also the wholesale prices. He left so little margin of profit, however, that the merchants could not continue the trade, and the retailing price was raised from 4d. and 6d. to 6d. and 8d. the gallon, "et sic repleta est terra potu et potatoribus." Roger of Hoveden, IV. 99.

<sup>4</sup> Delpit, *Collection*, XXXIII.

<sup>5</sup> *Ibid.* LXXXIX, x, xxi, xxii, c, cc.

<sup>6</sup> *Rot. Parl.* I. 815, No. 12.

<sup>7</sup> Delpit, XCIV.

<sup>8</sup> Turner, *Domestic Architecture*, I. 135. *Rot. Parl.* I. 815, No. 109. Barnaby Googe writing in 1577 says, "We might have a reasonable good wine growyng

A.D. 1307  
—1877.  
imported. chief supply came from abroad; not only was it desirable to obtain a close connexion and safe communication with Gascony, but to provide for the terms on which the wine should be obtainable in different parts of the country. In 1330 an Act was passed regulating the distributive and retail trade. "Because there be more taverners in the realm than were wont to be, selling as well corrupt wines as wholesome, and have sold the gallon at such price as they themselves would, because there was no punishment ordained for them, as hath been for them that have sold bread or ale, to the great hurt of the people; it is accorded, that a cry shall be made that none be so hardy as to sell wines but at a reasonable price, regarding the price that is at the ports whence the wines came, and the expences, as in carriage of the same from the said ports to the places<sup>1</sup> where they be sold." The town authorities were to make an assay twice a year, and all wines found to be corrupt were to be shed and cast out and the vessels broken<sup>2</sup>.

Regula-  
tions for  
price.

A.D. 1358.

Somewhat later in Edward's reign there were some very curious enactments, which were designed to strike at the profits of middlemen, in the vain hope that wine would be rendered cheaper. It was assumed that middlemen gained at the expense of the public; and it seemed to follow that if middlemen did not gain, the public would be put to less expense. English merchants were not to forestall wine in Gascony, or buy it up before the vintage, and the time of the common passages<sup>3</sup>; nor were they to charge high for the

in many places of this Realme: as doubtless we had immediately after the Conquest, till partly by slothfulness, not liking anything long that is painfull, partly by Civil discord long continuing, it was left, and so with time lost, as appeareth by a number of places in this Realme, that keepes still the names of Vineyards: and upon many Clifffes and Hills are yet to be seene the rootes and old remaynes of Vines. There is besides Nottingham an auncient house called Chyiwel, in which house remayneth yet as an auncient monument in a great wyndow of Glasse, the whole order of planting, proyning, stamping and pressing of Vines. Beside, there is yet also growing an old Vine that yeedeth a grape sufficient to make a right good wine as was lately prooved by a Gentlewoman in the saide house." Epistle to the Reader prefixed to Heresbach's *Fourre Bookes of Husbandry*.

<sup>1</sup> The Chancellor and Members of the University of Cambridge complained more than once that they were not served with wine so cheaply as the residents in the sister university. *Rot. Parl.* II. 48 (69), III. 254 (8).

<sup>2</sup> 4 Ed. III. c. 12.

<sup>3</sup> 27 Ed. III. 1. 5, 7.

wine, on the pretence that they ran risks. Cost of carriage A.D. 1307 was a charge which could be checked and this might doubtless be allowed for when sale was made in London<sup>1</sup>; but remuneration for risk was obviously regarded as a mere excuse for arbitrary demands on the part of the merchant, and these were not to be permitted at all. The operations of the English merchant were confined to two special ports, but the Gascony traders might ship to any port they pleased. It thus appears that the Englishman was forbidden to export wool, so that it might be sold dear, and that he was prevented from importing wine, in order that it might be bought cheap—in both trades he was placed at a disadvantage as compared with the foreigner<sup>2</sup>. The only part of this curious statute which would commend itself to modern ideas, as likely to do much for the encouragement of trade, is the last clause which provides that the tuns and pipes should be authoritatively gauged so that the purchaser might make sure of obtaining the full quantity for which he paid; ten years later it was found necessary to have the wine gauged A.D. 1363. at Bourdeaux as well as in England<sup>3</sup>.

100. Other regulations to promote fair dealing in internal trade are simply copied from the ordinances that were in force in many towns<sup>4</sup>. Besides the regulations mentioned above against Englishmen forestalling or engrossing important *Fore-stalling.* goods<sup>5</sup>, we have one general prohibition of engrossing the wares that were brought to the staple towns<sup>6</sup>; but there is one special case that brings out very clearly the grounds of *Herrings*. the objection which was commonly felt against middlemen of every kind; it occurs in a couple of local Acts, which may possibly have been necessary from the double jurisdiction exercised in Great Yarmouth by the local burgesses on the one hand and the Wardens of the Cinque Ports on the other<sup>7</sup>.

<sup>1</sup> Though the statute does not say so, c. 6. Compare however *Rot. Parl.* ii. 279 (35).

<sup>2</sup> *Rot. Parl.* ii. 261 (48), 282 b.

<sup>3</sup> *Ibid.* ii. 279 (34).

<sup>4</sup> See above, p. 280. Also the *Statutum de pictoribus* quoted p. 243, n. 2.

<sup>5</sup> 27 Ed. III. i. c. 7. *Rot. Parl.* ii. 261 (48). The prosperity of the grocers and their Company roused a good deal of jealousy during this period, *Rot. Parl.* ii. 277 (28), 280 b.

<sup>6</sup> *Ordinance of the Staple*, c. 11. See also 25 Ed. III. iii. c. 3.

<sup>7</sup> Jeake, *Charters of the Cinque Ports*, 17.

A.D. 1307 —1377. It is an interesting illustration of the manner in which they tried to ensure fair competition in those cases where it was impossible to calculate out and settle what a reasonable price would be—as well as of the practical difficulties which rendered their well-meant efforts futile. The poor fisherman was the victim of the greed of the Yarmouth hostellers, the local consumer was outbid by the engrosser who wished to transport the fish to other markets<sup>1</sup>; of course if they had been allowed to do this freely, there would have been less difficulty about the low price for fish given to the fishermen. But the attempt to remedy these two very dissimilar grievances at the same time resulted in meddlesome regulations which introduced new and unlooked for mischiefs.

*Difficulty of interfering with middlemen* In 1357 a statute was passed against the hostellers of Yarmouth<sup>2</sup> and others, who made special bargains with the fishermen and forestalled their goods before they were landed or exposed in open market; a price was fixed of 40s. the last, above which no one should buy for the purpose of curing fish; the rate of profit on reselling, and the tolls that might be taken, were carefully defined, and the market was to be held in broad daylight. All these regulations were meant to let the ordinary consumer have a fair chance, and to prevent the middlemen and speculators from having special opportunities of purchase, and so setting an unreasonable price for their own profit. But before four years had elapsed it was found that the results were very prejudicial; whatever ill effects accrued from their speculations, the middlemen

A.D. 1361

<sup>1</sup> The feeling that lay at the bottom of this complaint was something of this sort: the resident on the spot felt that he had a first claim to the products of the place, and that only the surplus should be sent to other localities, English or foreign. The same idea underlay a great deal of protective legislation at a later time: we should find a vent for our surplus, but should not export useful commodities unless there was a surplus: see on village protection above, p. 75.

<sup>2</sup> 81 Ed. III. st. ii. The preamble recites the precise grievances; it runs as follows: Que pour cause que les gentez de Grant Jernemuthe encontrent les peschours, menants harang a la dite ville en temps de feyrre, et achatent et forstallent le harang, avant qil veigne a la ville: et auxint les hostilliers de mesme la ville qil herbergent les peschours venant illoques ove lour harang, ne veullent soeffrir les ditz peschours vendre lour harang, ne meller de la vente dicais, einz le vendent a lour volente demesme, si chez come ils veullent et donent as peschours ceo qe lour plest; pour quoi les peschours se retrahent de vente illoques et issi est le harang mis a plus grant chiere qe unqes ne fust.

undoubtedly had been discharging a needed function. A <sup>A.D. 1807</sup> new ordinance was made, which recites in a most interesting manner the arguments for the statute as well as the evils to which it had given rise: the fishermen had great difficulties in personally attending the public market at the times it was open while also prosecuting their trade; the collecting of the purchase-money from all the retail buyers took up time which they should have spent in fishing, and the fishers were thus prevented from bringing their fish to that port at all. Besides this, while the statute had thus inconvenienced the fishers, it had done little good to the ordinary consumer; <sup>or consumer.</sup> for the middlemen and merchants, or others, no longer allowed to forestall, were now ready to outbid the retail purchaser, and buy up the fish for curing and for transport to distant, or export to foreign, markets<sup>1</sup>. "Every of them by malice and envy increase upon other, and if one proffer forty shillings another will proffer ten shillings more, and the third sixty shillings, and so every one surmounteth other in the bargain, and such proffers extend to more than the price of the herring upon which the fishers proffered it to sell at the beginning<sup>2</sup>." All that could be done was to give the right of selling freely to the fishers whenever they came to port, while at the same time a prohibition was put on anyone interfering with another buyer while he was bargaining—a piece of trade etiquette which is still very generally observed<sup>3</sup>.

There was also a good deal of discussion about the *Assize of Cloth*, and the action of the aulnager. The manufacturers of worsted cloths had been accustomed to make them of various lengths from 24 to 50 ells; but the aulnager insisted on all the cloth being made in pieces of 24 ells only, which did not suit all the buyers so well<sup>4</sup>. They subsequently

<sup>1</sup> That foreigners should be more cheaply served with good English fish, and the price raised to home consumers in consequence, would have been universally regarded as an evil, for which no cheapening of imports could compensate (Stafford in *Harleian Miscel.* ix. 168): and Norfolk men would have a certain jealousy towards the inhabitants of London.

<sup>2</sup> 35 Ed. III.

<sup>3</sup> C. P. Allen, *Ambassadors of Commerce*, 78. The old Cloth Hall at Halifax was planned with separate cubicles with a view to uninterrupted bargaining.

<sup>4</sup> *Rot. Parl.* ii. 28 (50).

A.D. 1307  
—1377. complained that the diversity of wool with which they had to work made it impossible to keep any specific standard<sup>1</sup>, and attempts were made to abolish the office of aulnager altogether<sup>2</sup>; this was not done, but his duties were differently defined, and restated so as to suit the views of merchants who imported cloth from abroad. According to the new scheme, he was to give an authoritative statement as to the length of the cloths exposed for sale, but was not to insist that those which were not up to the old English standard measure should be forfeited<sup>3</sup>. In accordance with the liberty thus granted to foreigners a customary assize seems to have grown up in different districts, as the later statutes on the cloth manufacture insist on definite measures for all cloths, but on different measures for cloths of different make<sup>4</sup>. Under the new system there must have been less temptation to stretch<sup>5</sup> short cloths so as to bring them up to the required standard.

*Inconveni-  
ence of  
changing  
regula-  
tions.*

It is unnecessary to observe that the mere existence of such detailed regulations for export, import, and internal trade, and the occasional attempt to improve them, must have caused terrible inconvenience to the merchant, from the frequent uncertainty of the conditions under which he would have to dispose of his goods. This element of uncertainty is often spoken of on the eve of a Budget as affecting those branches of trade in which slight changes of tariff are expected, but it must have been infinitely more oppressive in bygone times.

*Fiscal  
arrange-  
ments.*

*Grants in  
kind.*

The raising of the revenue affords the one excuse for such governmental interference which still survives, but this was so mismanaged in Edward's time, as not only to inconvenience traders, but to disorganise the whole commerce of the country. This was especially the case in those instances where the king obtained supplies not in coin but in kind, and traded with it himself, or through appointed factors. Thus in 1337 the king obtained a grant of wool, and the export of other wool was forbidden that he might

<sup>1</sup> *Rot. Parl.* ii. 409, No. 175.

<sup>2</sup> *Ibid.* ii. 252, No. 34.

<sup>3</sup> 27 Ed. III. i. c. 4.

<sup>4</sup> See below, p. 890.

<sup>5</sup> Madox, *Exchequer*, c. xiv. § 15.

have a monopoly of the foreign market; though it seems A.D. 1807  
that the prohibition was not in force long enough, or that all  
the profit went to his factors, as very little gain accrued to  
the king<sup>1</sup>. The injury thus done is to be considered in  
connexion with the incidence of taxation rather than as a  
piece of foolish trade regulation. From the point of view of  
contemporaries, it would appear not so much unjust, as of  
doubtful wisdom; for the interference with trade would so  
far reduce the regular customs, that little if any profit might  
arise from the extraordinary grants. Besides these attempts  
at speculation and the reorganisation of the staple as a  
means of collecting the customs, which has been already  
described, there is little in connexion with Edward's taxation  
that calls for special attention.

101. The reign of Edward III. is distinguished by some very remarkable experiments in regard to the currency. The increasing communication with the Continent would bring a greater influx of foreign coin. Edward I. had tried to prevent its getting into circulation, but his grandson was also forced to legislate against importing it. The preamble of his first statute on the subject complains that "divers persons A.D. 1335. beyond the seas do endeavour themselves to counterfeit our sterling money of England, and to send into England their weak money in deceit of us, and damage and oppression of our people;" and as a remedy it provides that none shall carry gold or silver out of the realm without a license and that no money shall be molten to make plate. If the coinage were not thus diminished, there would be less temptation to introduce coins from abroad, while a special provision was made against bringing in counterfeit sterlings and false money.

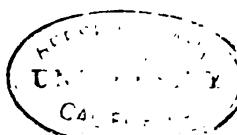
King Edward I.<sup>3</sup> had slightly diminished the weight of *Coins diminished in size.* the English sterling; and as the efforts to keep bad money out of circulation had been unsuccessful, especially during the reign of Edward II.<sup>4</sup>, heavy and light money were circulating together. As payments were still made by weight and not by tale in some cases, a curious fraud was per- <sup>A.D. 1300.</sup>

<sup>1</sup> Longman, Ed. III. i. 117.

29 Ed. III. st. II.

<sup>8</sup> Ruding, *Annals of Coinage*, I. 201.

<sup>4</sup> *Ibid.* I. 207. *Rot. Parl.* I. 444.



A.D. 1307  
—1377.

petrated by the receiver of the tenth and fifteenth in the diocese of Canterbury, who had selected old and heavy pennies to serve as weights, and exacted enough silver to balance them, apparently 25 per cent. more than he ought to have received<sup>1</sup>. With the coinage in such a state we need not be surprised that the better coins continued to be exported and light and debased coins, known as pollards, crocards, scaldings, brabants, eagles, rosaries and others, were brought by foreign merchants into England<sup>2</sup>. Three different expedients were tried in order to remedy these evils.

A.D. 1339.

a. It was proposed that every merchant should give security to bring 40s. in plate into the realm for every sack of wool he exported<sup>3</sup>. This was decreed<sup>4</sup> in the following year, though in a modified form, requiring only that 13s. 4d.

<sup>1</sup> Ruding, *Annals*, i. 211. This story seems to confirm Mr Seeböhm's suggestion that when payments were made by weight, they were made in the weight of the current coin (*Archaeological Review*, iii. 20); and that prices remained fairly stable because the value of silver was slowly rising, so that the practical effect of diminishing the size of the coins was to prevent the fall in nominal prices which must otherwise have occurred, so far as we know the conditions of the time. Professor Thorold Rogers on the other hand assumes (*Economic Interpretation*, 194) not only that payments were made by weight, but that they continued to be made by the old weights till the time of the Tudors. In support of this view the payments for certain pieces of plate are quoted, but Mr Seeböhm's careful calculations have shown that these prices would be excessive if reckoned according to the old and heavy weights, and that Professor Rogers has greatly underrated the value of silver in the fifteenth century. His assumption lands us in several other difficulties in regard to the value of silver before the discovery of America. It also seems to imply that all payments must have been made in the same way, i.e. by weight, since the rates by weight and by tale would differ so much. On Mr Seeböhm's view there would be no difficulty in having some payments by weight and others by tale, as was actually the case at the time of the Domesday Survey. See below, p. 486. In so far as payment of money by weight was practised in London in the thirteenth century it seems to have been a cumbrous business. *De antiquis legibus liber*, 25.

Gold was commonly paid by weight till much later times, as at fairs in Ireland in the eighteenth century. When Henry V. insisted that all gold should pass by weight (9 H. V. st. i. c. 11, st. ii. c. 9) he made no similar provision for silver; gold was accepted in 1421 by greatly diminished weights as 5s. 8d. was to count for 6s. 8d. in payment of the fifteenth and tenth. *Rot. Parl.* iv. 151 (10).

<sup>2</sup> Ruding, i. 201, gives little explanation of these terms; the coins appear to have been made of a white metal which resembled silver. A pound weight of 'Lushbourne's' (Luxembourg coins) was only worth eight shillings, *Rot. Parl.* ii. 160 (15), and some of the Flemish money appears to have been so debased that a pound of it was only worth forty pence. See Appendix D.

<sup>3</sup> *Rot. Parl.* ii. 105 (14).

<sup>4</sup> 14 Ed. III. i. c. 21, and 14 Ed. III. iii., cf. also *Rot. Parl.* ii. 188 (16).

should be thus secured; and it was hoped that plenty of <sup>A.D. 1307</sup>  
<sub>—1377.</sub> bullion would thus be supplied to the mint.

b. It was proposed that certain foreign coins, Florins de Escu, should have free circulation in this country for sums over the value of 40s.<sup>1</sup>; this was not done, but after consultation with the goldsmiths as to the fineness which should be adopted, and in conjunction with the people of Flanders<sup>2</sup>, <sup>A.D. 1343.</sup> a gold coin was struck for currency both in England and Flanders, and some attempt was made to come to an agreement as to a common silver coinage as well<sup>3</sup>. This gold money was at first somewhat over-rated, so that people were unwilling to receive it for silver, and it was ordained that no money but the new gold coinage should go abroad.

A further experiment was made before it was possible to get the gold money into general circulation, while to meet the convenience of merchants in the north it was coined in York as well as in London<sup>4</sup>. This bimetallic circulation did not answer its purpose, and it gave rise to a good deal of internal complaint; bad foreign money, especially of the coinage of Luxembourgh<sup>5</sup>, continued to find its <sup>A.D. 1346.</sup> way into England. The Commons complained most bitterly of the wrongf ul gains of those who introduced such money<sup>6</sup>.

c. In 1351 the king appears to have been wearied out with the struggle to maintain the old standard of coinage; and an entirely new coinage, both of gold and silver, was issued, of the same fineness but of considerably less weight; the standard of the money issued was thus reduced towards the standard of the money in circulation<sup>7</sup>. This was by far the most sudden change in the value of the current coins that had yet taken place, and it caused no little dissatisfaction.

Two things are noticeable as to the actual manner of *Exchange*. carrying on this business of coining; it was let out from time to time to different persons. Similarly the business of exchange, which furnished the channel by which the Mint might be supplied with bullion, was maintained as a royal prerogative and farmed out to different merchants from time

<sup>1</sup> *Rot. Parl.* ii. 105 (14).

<sup>2</sup> *Ibid.* ii. 187 (14).

<sup>3</sup> 17 Ed. III.

<sup>4</sup> 18 Ed. III. ii. c. 6.

<sup>5</sup> *Piers Plowman*, 82 b.

<sup>6</sup> *Rot. Parl.* ii. 180 (15).

<sup>7</sup> *Ruding, Annals*, i. 226.

A.D. 1307  
—1377.  
A.D. 1351.

to time<sup>1</sup>; others might exchange for mutual convenience, but not for the sake of profit<sup>2</sup>. Both of these are repetitions, though on a larger scale, of the methods adopted by Edward I., while the regulation of the goldsmiths' craft<sup>3</sup>, and reliance on their advice, also reminds one of his statute on the subject.

*Bullion  
and  
coinage.*

A.D. 1358.

Similar difficulties were felt in other lands; the Flemings made a strict law against the exportation of bullion which rendered it impracticable to carry out the payments required<sup>4</sup> on each sack of wool imported from England. The Scotch coinage was suddenly debased, and as it had circulated freely in England, the change caused much inconvenience. But there is one point that is well worth attention in all this legislation on the import and export of bullion; it has reference to coinage and coinage alone. There is a desire to 'increase the money' of the country, and therefore to get more bullion which should go straight to the mint and be coined, but no hint of trying to amass treasure; the plate which was to be brought in for each sack would do little more than serve to pay the customs, it would not pay for the wool. The effort to prevent the influx of inferior money is as constant and persistent as the effort to prevent the export of the good coins. On the other hand there was no objection to the good gold money, which hardly circulated internally, being exported<sup>5</sup>, and merchants were allowed to re-export money which they had not spent in goods<sup>6</sup>. When, later in the reign, the export of gold and silver was prohibited an exemption was still made in the case of those who imported fish<sup>7</sup>, who might apparently carry money away with them if they liked. Edward III. dealt with the question as a mere matter of the circulating medium; he lived before the times of bullionists or mercantilists, and his experiments and regulations are unaffected by the prejudices which arose later, and which we have outgrown.

102. The reign of Edward III. also furnishes us with the

<sup>1</sup> *Rot. Parl.* ii. 452.

<sup>2</sup> 25 *Ed. III.* v. c. 12.

<sup>3</sup> 87 *Ed. III.* c. 7.

<sup>4</sup> *Rot. Parl.* ii. 202 (15).

<sup>5</sup> *Rot. Parl.* ii. 187 (14).

<sup>6</sup> 27 *Ed. III.* ii. c. 14.

<sup>7</sup> 38 *Ed. III.* i. c. 2.

first of an important series of statutes defining the hours A.D. 1307 and wages of the labouring man. These had not of course <sup>—1377.</sup> been unregulated up to this time; the custom of each <sup>Regulation of wages.</sup> manor, and the ordinances of the gilds in each town had hitherto sufficed; but in the presence of the terrible plague which swept over England in 1349, the frame of society and the ordinary instruments of social authority were entirely shattered and it was necessary for the central government to interfere. This is the principal case, during the reign of Edward III, in which parliament took over a department of regulation that had been hitherto left to local bodies<sup>1</sup>; they were thus carrying out the policy of Edward I in another direction, as well as continuing to work on lines he had already laid down.

Of the ultimate effects of the Black Death<sup>2</sup> in the <sup>Black Death.</sup> impulse it gave to far-reaching social changes it will be necessary to speak below, but a few words may be said as to the extent of its ravages. The terror which it caused is noticeable in the extraordinary change which was brought about in the artistic representations of death about this time: the horrors of the actual visitation can certainly not be described, nor, for that matter, easily imagined. It has been argued that about half the population of England was swept away by this visitation; and though we are tempted to treat the estimates of contemporaries as exaggerated because of the horror which the new and sudden death caused, they appear less impossible when the records of the time are examined. The chief of these, for larger areas, are the records of the institutions of clergy to benefices<sup>3</sup>; for particular villages, the records of the court rolls<sup>4</sup>. While the former seem to show that with all allowances for the ordinary death rate, more than half the parish priests died during the year, the latter give us instances where whole

<sup>1</sup> Compare the regulations for Builders in London, Appendix A; also in the time of Edward I, *Liber Cust.* II. 541.

<sup>2</sup> A good account of the causes, nature, and character of this disease as well as of its moral effects is to be found in Hecker's *Epidemics of the Middle Ages*, pp. 1—66. Part of the horror it caused was due to the sudden and unexpected outbreaks.

<sup>3</sup> Jessopp, *The Coming of the Friars*, 193.

<sup>4</sup> See Appendix B.

A.D. 1307  
—1877. villages were practically annihilated. We shall not be far wrong in saying that nearly half of the population<sup>1</sup> was swept away at this time<sup>2</sup>.

<sup>1</sup> Mr Denton (p. 98) holds that this computation is far below the truth; Professor Thorold Rogers reckons the mortality at a third of the population. *Economic Interpretation*, 22.

<sup>2</sup> A much greater difficulty arises if we try to estimate not the proportion but the number of deaths; that is to calculate the total population at the time. This has led to a controversy between Mr Sebbohm and Prof. Thorold Rogers (*Fortnightly Review*, II, III, IV.). The latter discontinued the discussion on the ground that no time "is lost more thoroughly than that devoted to arguing on matters of fact with a disputant who has no facts but only very strong convictions" (*Six Centuries*, 117). Mr Sebbohm had argued that the tax rolls of 1377, which give a population of about 2½ millions, represent pretty closely the population as left by the Black Death, since the return of the plague in 1361 and 1369, and the unsettled condition of the time had probably left little room for any increase of population between 1350 and 1377: he therefore supposes that the population before the Black Death may have been five millions (*Fortnightly Review*, II, 158, IV, 89). Professor Thorold Rogers holds that the population had recovered from the ravages of the plague in the twenty-five years which immediately succeeded, because he cannot admit that mediæval England had the means of supporting a larger number. The reasons for assigning this limit are, his conviction that the populace lived practically on wheat, and that the area of other cereals sown may be neglected for this purpose. He refers to the *Assize of Bread*, which indeed only mentions wheat, but which supplied the basis from which the price of bread of other grains could be calculated (see Appendix A). But oatmeal and other cereals than wheat were commonly used for food. In the allowances provided for various servants, the reeve had equal quantities of wheat and rye, the other men had more rye than wheat (Denton, *Fifteenth Century*, 317). The area of food-producing land may therefore be taken as much larger than that which Professor Rogers assumes (Sebbohm, *Fortnightly Review*, IV, 88). Despite his strong conviction, he has not adduced facts to show that five millions was an impossible population in 1346.

Professor Thorold Rogers also adopts another line of argument, and works backward from the time of Henry VII. and Elizabeth, when the population may be put at between two or three millions, and expresses a conviction that as there had been no change in agricultural production, population could not have been larger in 1346. But there was a great alteration for the worse during the fifteenth century: sheep farming was substituted for tillage in many places, a change which Professor Rogers postdates by a considerable period, as he underrates its importance before the time of Elizabeth (see below, p. 393, n. 8). Besides, the south-east of Kent, to which he specially refers, was exposed to attack from 'Enemies,' while there is some reason to believe that the soil was more exhausted (Denton, *Fifteenth Century*, 153). If under these circumstances of decreased tillage and greater insecurity a population of two and a half millions could be sustained under the Tudors, the numbers at the beginning of the fourteenth century might have been considerably larger.

The results, which are of a somewhat negative character, may be stated as follows: (1) that the population was pretty nearly stationary at over two millions from 1377 till the Tudors, (2) that circumstances did not favour rapid increase of population between 1350 and 1377, (3) that the country was not incapable of sustaining a much larger population in the earlier part of Edward III.'s reign than it could maintain in the time of Henry VII.

As one immediate result there was great difficulty in getting labourers; the difficulty was aggravated in those cases where the tenants had died off and the lords were left with large holdings on their hands and no means of working them; while they lost the predial services of these deceased tenants on the home farm. There was consequently an immensely increased demand for hired labourers at the very time when their numbers were so much thinned, and it seemed as if the agriculture of the country was completely ruined. A very vivid picture of the widely spread disaster is given in the story of a Cambridgeshire chantry at Bottisham. Sir Thomas Chedworth had endowed it in 1348, but he found in 1351 that the estate which was intended to support two secular priests was only sufficient for one, so greatly had the revenues declined. The new instrument by which the original deed of foundation was altered states that owing to the vast "mortality of men in those days . . . lands lie uncultivated in many places, not a few tenements daily and suddenly decay and are pulled down, rents and services cannot be levied nor the advantage of them generally had can be received, but a much smaller profit is obliged to be taken than usual<sup>1</sup>."

<sup>1</sup> Hailstone, *History of Bottisham*, 278. In the manor of Blackmere in Shropshire there were three mills which used to be worth 20 marcs, but now they are worth only half that sum, by reason of the defect of grinding on account of the pestilence. At Doddington two carucates of land used to be worth 60 shillings, and now the said jurors know not how to extend the said land because the famuli and servientes are dead, and no one is willing to hire the land. The water mill is sunk from 30 shillings to 6/8 because the tenants are dead. Owen and Blakeway's *Shrewsbury*, i. 165.

An *Insipicinus* of a charter of Simon, Bishop of Ely (dated 12 Sept. 1365), regarding the parish churches of All Saints and S. Giles, of Cambridge, near the Castle, asserts that the parishioners of All Saints are for the most part dead by pestilence, and those that are alive are gone to the parishes of other churches; and that the parishioners of S. Giles's have died; and that the nave of All Saints is ruinous, and the bones of dead bodies are exposed to the beasts; and he unites All Saints and S. Giles. *App. to Sixth Report of Commission on Historical MSS.*, 299. See also Dunston in Norfolk. Suckling's *Suffolk*, i. 195. On the enrolment of wills in London see Sharpe, *Wills*, xxvii. Many orphans died at Sandwich, and the Mayor as trustee had to make special arrangements for their property. Lyon, *Dover*, ii. 306.

According to a contemporary statement 57,374 "died in Norwich, "besides religious and beggars," and it was believed that in some places "it did not leave a fifth part alive" (Blomefield, *Norfolk*, iii. 92). Walsingham (*Hist.* i. 278) puts the mortality at more than half, and mentions the common opinion that not a

A.D. 1307  
—1377.  
Proclama-  
tion,  
A.D. 1349,

While the plague was actually raging parliament could not meet<sup>1</sup>, but a proclamation was at once issued<sup>2</sup> by the king with the advice of certain prelates and nobles, of which the preamble states that "many seeing the necessity of masters and great scarcity of servants will not serve unless they get excessive wages," and that consequently the land can be scarcely tilled. Everyone, free or villan, who can work and has no other means of livelihood, is not to refuse to do so for anyone who offers the accustomed wages; each lord is to have the preference in hiring the men on his own estate, but none is to have too many men for his work; no labourer is to leave his employment before the specified time; nor to receive more rations or wages than he did in the twentieth year of the king and the common years before that; none are to give or take more wages in town or country,—for the proclamation mentions saddlers, skinners, tailors, smiths, carpenters as well as farm labourers,—subject to definite and severe penalties. After thus enjoining the old

tenth of the people were left alive. For Leicester a very definite statement is furnished by Knyghton (*Decem Scriptores*, 2599): 380 died in the little parish of S. Leonard, more than 400 in S. Cross, and more than 700 in S. Margaret's parish; his account of the ravages of the plague in Southern Europe and the East is also interesting. There was formerly an inscription in the Church at Great Yarmouth which reckoned the deaths there at 7,062. Weever's *Funeral Monuments*, 862.

<sup>1</sup> *Rot. Parl.* II. 225 (4). The corresponding state of things in France is interesting. A great Ordinance dealing with all matters of trade and industry was issued in 1350, which contains the following clause (Tit. 52, Art. 281): *Nulle personne qui prenne argent pour son salaire pour journée, ou pour ses œuvres, ou pour marchandise qu'il face de sa main, ou face faire en son hostal pour vendre, et desquels il n'est ordonné en ces présentes ordonnances, ne pourra pour sa journée, salaire, ou deniers, prendre que le tiers plus de ce qu'il prenoit avant la mortalité, sur les peins dessus contenus.* *Ordonnances des rois de France de la troisième race*, II. p. 877. From Levasseur's account it seems that the chief difficulty in France lay with the gilds of artisans who about this time endeavoured to insist on monopoly rates for all work done by craftsmen. *Classes ouvrières*, I. p. 396.

In England the disturbance of prices affected all persons who lived on fixed incomes, and appears to have been severely felt by Parish Priests, whose demands for increased fees and payments were met by a statute in 1362. 36 Ed. III. c. 8.

<sup>2</sup> 28 Ed. III. The plague first attracted attention in London as a public danger at the very end of 1348, as the meeting of Parliament had to be postponed (Bymer, *Fœdera*, III. i. 168). The proclamation about wages was issued, according to the copy printed in the Statute Book, on 18 June 1349; in Bymer it is placed in 1350, which would have allowed a very long time to elapse without any intervention (*Fœdera*, III. i. 198). Parliament did not meet till the first week of February 1351.

terms with respect to wages, the proclamation insists on A.D. 1307 reasonable prices for victuals and all the necessaries of life; and announces a strict penalty against valiant beggars who though able to work preferred to wander about as tramps, while those who gave them support were to be imprisoned; this and a previous clause seem to imply that there was some system organised by the labourers to enforce their demands. Subsequently the same regulations were enacted by a statute<sup>1</sup>, <sup>and</sup> <sup>statutes,</sup> <sup>A.D. 1351.</sup> insisting on the accustomed wages for work of various kinds, —mowing, reaping, threshing, the labour of carpenters, masons, plasterers, their servants, tilers, and carriers, as well as shoemakers and other craftsmen,—and at the same time decreeing a limit for the price of corn and other victuals, and insisting on the use of the old measures. Somewhat later<sup>2</sup> <sup>A.D. 1357.</sup> the fines which arose from the infraction of this statute, which had been assigned to the Commons for three years, to assist them in paying the royal tenths and fifteenths, were granted to the Lords of Franchises. In the year 1360 the penalties were rendered far more severe, as labourers and artificers were no longer to be merely fined but imprisoned without the option of bail; those who broke their agreement and went into another county were to be outlawed, pursued and branded with F "for their falsity"; while towns where runaways were harboured were to be fined ten pounds<sup>3</sup>.

There are very many interesting points to be noted in *Policy of regulating wages and prices.* regard to this legislation. It had two different sides,—in the first place it tried to fix fair rates of wages, and in the second to insist that men should do work if it was offered them and not become vagrant tramps; this second object of the statute marks the beginning of a great part of our legislation in regard to the poor—not the destitute poor, but the 'valiant beggars'—and it has been much less criticised than that which fixed the rates of wages. But as in the case of the legislation for trade, so in regard to these regulations for wages, there is need of a warning against trying to judge about the facts of the time, unless we first attempt to comprehend its ideas; it is difficult to agree with

<sup>1</sup> 25 Ed. III. st. ii. c. 1.

<sup>2</sup> 31 Ed. III. stat. i. c. 6.

<sup>3</sup> 34 Ed. III. cc. 9, 10, 11.

A.D. 1307  
—1377. Mr Seebohm<sup>1</sup> and other writers in thinking that it was unjust to try to prevent wages from being determined by competition, when the prices of goods were not so determined. Prices were then so closely connected with wages, that there seemed to be good ground for expecting that if wages were forced back to their old level the abnormal prices would no longer be demanded. Both the proclamation and the subsequent statute attempt to *regulate prices and wages together*, both in town and country districts, and to go back to the time when normal rates had ruled<sup>2</sup>. It is one thing to show that this was an unsuccessful effort, and another to show that the statute was tyrannous. Had it succeeded in keeping wages at the old rate, while the prices rose to a new rate, it would have been oppressive; but this was not the object—and certainly was not the result of the statute.

*Its failure.* In so far as it was oppressive, the unfairness was due to the fact that, owing to the changes in the coinage, prices were no longer ranging at the same rates as they had done before the plague; the justification of the labourers' demands lay solely in the fact that owing to the alterations in the coinage<sup>3</sup>, the old payments were no longer a "reasonable wage": parliament neglected this fact and legislated against

<sup>1</sup> *Fortnightly Review*, ii. 273.

<sup>2</sup> *Chronicles*, 1848.

<sup>3</sup> The Chronicler's notes on the variations of prices are interesting. Under 1337 Holinshed notes, "The King sought by all waies possible how to recover monie, both to supplie his charges for the Scotish wars and also to furniash the other warr which he meant to take in hand against the French King: he got so much into his hands that it was verie scant and hard to come by throughout the whole realme: by reason of which scarcsite and want of monie, or upon some other necessarie cause, vittals and other chaffer and merchandize were exceeding cheape," ii. p. 605. When peace was made in 1348 and wealth poured into England, so that most "English maides and matrons were bedecked and trimmed up in French womens jewels and apparel" (Holinshed, ii. p. 649), the drain of coinage would cease and prices would be likely to rise: the simultaneous reduction of the size of the coins would of course make these fluctuations more striking.

Another author recognised the connexion between the continued demands of the labourers and the advance of prices which was due to the depreciation of the coinage in 1351. *Willelmus de Edyngdone excogitavit et fecit insculpi novam monetam, scilicet grossum et dimidium grossum sed haec erant minoris ponderis quam correspondens summa sterlingorum. Quae res fuit expost occasio, quod victualia sive mercimonia fuere per totam Angliam magis cara. Operarii vero et artifices ac servientes proinde callidiores et fraudulentiores solito sunt effecti.* Thomas of Walsingham, *Hist. Ang.* i. 276.

their demands from what was the ordinary point of view in A.D. 1272 regard to fair dealing. It is by a curious irony that this nineteenth century, which has under ordinary circumstances accepted competition with all its severe pressure on the weak as the only possible method of adjusting wages, and which has familiarised us with the countless oppressions of the poor labourer by contractors and sweaters, should be so much shocked at the men who refused to regard competition as a satisfactory means of determining wages, and who endeavoured—with little success indeed, but still honestly—to calculate wages that should be fair.

#### IV. CRAFT GILDS<sup>1</sup>.

103. It has been pointed out above that the influence of the municipal authorities was only gradually superseded by the increasing effectiveness of parliamentary legislation for the whole country; indeed during the reign of Edward III. there are signs of a further development of economic control *Municipal authority in London.* on the part of local authorities; the Londoners in particular set themselves to regulate the whole industrial life of the town through the agency of craft gilds. We may take the year 1300 as giving us a date when the city had succeeded in establishing a control over the Weavers' Gild, and when the authority of the Mayor and Aldermen was paramount over all the settled<sup>2</sup> inhabitants of the city; and during the whole of the fourteenth century we see them taking pains to exercise the authority which had thus been established.

As trade extended, and the different industries which *Specialisation of function.* were represented in a town increased in number, it became impossible for one body to ensure effective regulation; the task was far too complicated, and could only be attempted by introducing a certain amount of specialisation<sup>3</sup>. The craft

<sup>1</sup> The substance of this chapter has been read as a paper before the *Royal Historical Society*, and published in their *Transactions*.

<sup>2</sup> The Hansards, as more or less migratory, are not included.

<sup>3</sup> Compare, in regard to false hats, Riley, *Memorials*, 90; brass pots, *Ibid.* 118.

A.D. 1272 —1377. gilds were thus called into being, not out of antagonism to existing authorities, but as new institutions, to which special parts of their own duties were delegated by the burgh officers or the local gild merchant<sup>1</sup>. This is most clearly put before us in the case of Beverley, where, according to Poulson, "another regulation of this *gilda mercatoria*, or merchant fraternity, was appointing lesser gilds, with an alderman or warden to each; so that each description of trade was governed by its own particular rules, subject to the approbation and control of the twelve governors<sup>2</sup>."

*Formation of the lorimers' gild.*

A.D. 1261.

A very early instance of the formation of such a craft gild is found in connexion with the lorimers<sup>3</sup>, who did the smith's work for bits and other harness: "These are the provisions which the forgers of lorimery in London<sup>4</sup> have provided by the common counsel of them all, and with the assent of Sir William FitzRichard, the then Mayor of London, and the other barons of the same city, for the amendment and relief of the mistery<sup>5</sup> and the honour of the city, and for the abating of all guiles and trickery, in the five-and-fortieth year of King Henry the son of King John." They insist on the Saturday half-holiday and various other holidays; they provide against the enticing away of apprentices, and fix the terms on which apprentices may be taken and strangers received to work at the craft. "These provisions aforesaid to hold and to keep all those of the mistery have sworn, and before the Mayor aforesaid and the barons of the city have granted; and, for the greater surety, all the masters of the mistery and the wardens likewise have confirmed this writing with the impress of their seals."

*Cord-wainers.*  
A.D. 1308.

The doings of the cordwainers are also of interest. "Whereas many good folks cordwainers of the City of London

<sup>1</sup> In other cases they kept matters in their own hands, and proceeded against men who attempted to regulate their own trade without their sanction, as in the case of Hugh the Limeburner, Riley's *Memorials*, 174; and the Taverners, 182. Compare also the 'Malignity of the Bakers,' *Ibid.* p. 180; the commands given the Dyers, 809.

<sup>2</sup> *Beverlac*, i. 112. The relations of these specialised gilds with the gilds merchant are stated with precision and illustrated in detail by Dr Gross, *Gild Merchant*, i. 114.

<sup>3</sup> French, Lormier, a bit maker (Riley).

<sup>4</sup> *Ministerium not μυστήριον.*

<sup>5</sup> *Liber Cust.* ii. 585.

have given to understand unto John le Blount, Mayor, and A.D. 1272  
 unto the Aldermen of the same city, that some persons of  
 their trade work false things—that is to say, mix basil<sup>1</sup> with  
 cordwain<sup>2</sup>, and calfskin with cowskin, and cut out shoes of  
 basil, of calfskin, and of dogskin and sell the same to knights  
 and other great lords of the land for cordwain and kid :

“ And that many of the mistery trade with denizens and  
 strangers, and are not freemen or sworn to the franchise, to  
 the great scandal of the craft and the damage of the common  
 people of the land, rich and poor ; and it is ordained, as for a  
 long time heretofore it has been provided and established,  
 that those who shape and make shoes shall mix no manner  
 of leather with other, but shall make them wholly of one  
 leather, etc. :

“ And for the maintaining and performing of these points  
 there are chosen four proved men of the mistery...who are  
 charged to go each month at least, and at all times when they  
 shall hear that there is necessity, throughout the trade and  
 make search ; and the articles they shall find made and mixed  
 they shall take and bring into the chamber of the Guildhall,  
 to take their award before the Mayor and Aldermen accord-  
 ing to the law and the usages of the City of London.

“ And the said four men are charged upon their oath that  
 all the names of those who become master cordwainers and  
 others makers of shoes, and who trade with denizens and  
 strangers, who are not sworn to the franchise—that such  
 names they shall present unto the Chamberlain of the com-  
 munity, to be shown unto the Mayor and the Aldermen....

“ And it is forbidden that the servant workmen in  
 cordwaining or others shall hold any meeting to make  
 provision which may be to the prejudice of the trade and  
 to the detriment of the common people, under pain of  
 imprisonment<sup>3</sup>.”

<sup>1</sup> French, Basen, inferior leather made from sheepskin (Riley).

<sup>2</sup> A tawed leather made in imitation of that of Cordova in Spain, similar  
 probably to the modern morocco leather (Riley).

<sup>3</sup> *Liber Cust.* II. 540. Compare also Riley, *Memorials*, for articles of Armourers,  
 p. 145; Pelterers, p. 153; Girdlers, pp. 154, 216; Tapicers, p. 179; Cutlers, p. 217;  
 Spurriers, p. 226; Whittawyrs, p. 232; Heaumers, p. 237; Hatters, p. 239;  
 Pewterers, p. 241; Glovers, p. 245; Shearmen, p. 247; Furbishers, p. 253; Braelers,

A.D. 1272  
—1377.Relation to  
municipal  
authorities.

The ordinances of all the various craft were enrolled in the city records, and alterations were only made by the city authorities<sup>1</sup>; the oath of the masters and wardens<sup>2</sup>, as well as the attempts of the civic authorities to strengthen their hands<sup>3</sup>, testify to the fact that these industrial bodies exercised their powers under the constant and friendly supervision of the city authorities. The people of Exeter, partly perhaps from experience of the tailors, were still more careful to preserve full control over the Cordwainers' Gild; for they compelled them to deliver up their powers every year to the town authorities, and to pay a fine for having them renewed<sup>4</sup>.

In these cases, then, we see that the craft gilds received authorisation from the municipal officials; where the town had no real rights of self-government the craft gild might derive their authority from the lord of the manor, as was the case with the Cutlers' Company of Sheffield in its early days<sup>5</sup>. There were cases however when the old trouble reappeared, and some gilds of craftsmen claimed to be independent of the local authority. We hear of this more especially in connexion with the Flemish immigration; the francigenæ after the Norman Conquest had lived under royal protection, and were not at scot and lot; and so the newly-arrived weavers appear to have relied on royal protection. The London weavers had been accused of using their monopoly for their private advantage<sup>6</sup> in the beginning of the fourteenth century; and they would in any case be unwilling to have so many skilled intruders settling among them<sup>7</sup>. When they

Royal  
protection.

Weavers.

A.D. 1321.

p. 277; Masons, p. 280; Farriers, p. 292; Waxchandlers, p. 300; Plumbers, p. 321; Bowyers, p. 348 (a peculiarly full account); Haberdashers, p. 354; Blacksmiths, p. 361; Scriveners, p. 372 (full account); Barbers, pp. 394, 606 (full accounts); Founders, p. 512; Fletchers, p. 556; Limners, p. 557; Forcemakers, p. 568; Brasiers, p. 625; Stringers, p. 634. I have thought it worth while to enumerate these cases; not one gives any indication of the oppression which is commonly spoken of, and the accounts of all confirm, or at least harmonise with, the statements in the text.

<sup>1</sup> See additions made for Cordwainers, Riley, *Memorials*, 391; for Cutlers, *Ibid.* 489; Blacksmiths, *Ibid.* 568.

<sup>2</sup> *Liber Albus*, l. 527.

<sup>3</sup> *Ibid.* i. 494.

<sup>4</sup> Toulmin Smith, *English Gilds*, 334.

<sup>5</sup> Hunter's *Hallamshire* (Gatty), p. 150.

<sup>6</sup> *Liber Custum.* 416, 425.

<sup>7</sup> Ashley, *English Woollen Industry*, 47. Delpit, *Collection*, CLXVIII.

had to submit to accept the Flemings as neighbours, they A.D. 1272 tried to force them to belong to the Weavers' Gild<sup>1</sup>. This —1377. the king refused to allow, but subsequently the Flemings and Brabanters organised an alien Weavers' Gild of their own with the leave and approval of the Mayor and Aldermen, and the quarrel was set at rest when the civic jurisdiction was fully recognised<sup>2</sup>.

The difficulty occurred in other towns besides London, *Burghs and craft gilds.* for the Commons complained in 1376 that many of the *gilds.* Mayors of burghs were prevented from exercising their office thoroughly, by the special charters which had been granted to certain misteries, and prayed that these special charters might be rescinded so that the hands of the local powers might be strengthened<sup>3</sup>. In one instance—that of the tailors of Exeter—the difficulty cropped up in the time of Edward IV., owing to the special charter they held from the king which enabled them to defy the municipality.

104. The regulations which have been already quoted *Conditions of industry.* give a sufficiently clear hint as to the purpose of these gilds; it was the regulation of the trade in such fashion that the public might be well served, and that the trade might therefore flourish. The whole industrial life was governed by different ideas from those which are at present in vogue. To-day each manufacturer works to produce at as low a price as possible, and thus to force a sale for his goods by their cheapness. In old times the effort was to secure satisfactory conditions for production—skilled workers and honest materials—and to ensure a price which should be 'reasonable' to receive, and therefore reasonable to pay, *Reasonable rates.* for such wares thus made. The tendency in the present day is for the conditions and quality of work to conform to the market price, and to be ruled by the opportunities for sale, whereas in old days the conditions of production were attended to first of all, and the price asked and the development of the trade were rendered conformable to these prior and fundamental conditions. It is, of course, true that the two sets of conditions must react on one another, but none

<sup>1</sup> Madox, *Firma Buryi*, 283.

<sup>2</sup> Riley, *Memorials*, 306, 331.

<sup>3</sup> Rot. Parl. II. 881, No. 54.

<sup>4</sup> Toulmin Smith, *English Gilds*, 299.

**A.D. 1272** the less has the change been very striking; it comes out  
**—1877.** more curiously perhaps in the proceedings of mercantile than of industrial associations; but it was the real basis on which all mediæval dealings were supposed to rest and on which all gild ordinances were founded.

*Objects of craft gild regulation.* In order that the trade might thus be well conducted it was necessary that the wares should be of good quality; but this could only be secured if men who were really skilled in the trade were appointed to supervise, with a right of search into all that was done by the craftsmen; they had to see to the *quality* of materials, the *skill* of the workmen, and often to the time of working. Thus night work was apt to be secret work and badly executed work; it was consequently prohibited.

*Responsibilities.*

The wardens who exercised this right of search could not supervise the trade unless they had some hold over the craftsman; and hence it was required that the members of the craft should be resident, and that some householder should be responsible for each of them—the master for the apprentice who resided under his roof. To some extent, therefore, it was a police system<sup>1</sup>, but it was also a brotherhood; many of the regulations about enticing away the apprentices or servants of another master in the craft, or about not working on holidays and so forth, were intended to secure fair play between the different craftsmen and to exclude an unfair and dishonourable competition which could not be for the ultimate good of the trade.

*Common misrepresentation of the origin of craft gilds.*

It is unnecessary to attempt to illustrate the various parts of this policy in detail; it must suffice to have sketched thus briefly the principles which governed that policy. There are probably few, if any, ordinances which have come down to us that do not become intelligible when they are viewed in the light of these principles. It is all the more necessary to insist on this, as an account of craft gilds has been generally accepted which treats them in an entirely different aspect, and regards them as having been formed by artisans in self-defence, and in order to resist the oppression of the richer citizens, and especially the merchants as a

<sup>1</sup> Ochepkowski, *England's wirtschaft. Entwick.* 66.

class. But there is no evidence whatever<sup>1</sup> of oppression by the richer classes, or of artisan opposition to them. Civic quarrels were not between capital and labour but between burgess and alien, and the gilds appear as a matter of fact to have been formed with the approval of such of the richer citizens as held office in the city. The ordinances speak of insisting on good work, but contain comparatively few regulations which would protect the craftsman from outside oppression. All the evidence goes to show that the gilds were formed to discharge a positive function and regulate the industry—not merely for the negative *rôle* of resisting oppression<sup>2</sup>. The negative moment may have been present in particular cases; there were some informal associations of craftsmen, as it would appear, before their gilds were authorised, and they may have been united to resist oppression: though it is much more probable that those who formed this nucleus were drawn together for common religious duties, or for some special social purpose. It is hard to see from what source the oppression could come, since the distinction of employer and employed could not be drawn in the way it is at present, and wares were manufactured for home consumption rather than for export by the merchants of the town. When the gilds for regulating special industries were formed, the craftsmen would not withdraw from the gild merchant of which they were already members; but in several towns, as Dr Gross points out, the various younger bodies, which were formed one after another, gradually superseded the gild merchant altogether, and left

*The gild merchant survives in its members.*

<sup>1</sup> This is a strong expression and appears to Prof. Ashley to be an overstatement (*Economic History*, p. 79); but the view in the text is more than confirmed by Dr Gross who pronounces the received account to be 'a myth.' *Gild Merchant*, i. 109.

<sup>2</sup> Dr Brentano in his *History and Development of Gilds* has laid undue stress on the analogy with Italian and German towns; the royal power there was less effective, and the merchants were in a position to oppress the crafts, and the element of resistance was clearly marked in the formation of the gilds. Again, he lays undue stress on the analogy with modern trades unions, which were called into being to oppose the power of employers; but the most hasty comparison of the records of the old craft gilds and the new unions would show that while resistance was the primary object of the latter, the regulation of industry in the interest of the public and the workers alike was the real, as it was the avowed, object of the formation of craft gilds.

A.D. 1272 —1377. it no sphere for independent activity<sup>1</sup>. Towards the close of the fifteenth century the old gild merchant of several towns was mainly represented by the aggregate of craft gilds to which it had given birth<sup>2</sup>.

*Gild members.* 105. In these gilds, when they reached their most complete development, there were three different classes of members.

*Apprentices.* (a) The position of the *apprentices*<sup>3</sup> may be most easily understood from the terms of an indenture of the fifteenth century:—

A.D. 1480. “This indenture made the xviii day of September the year of the reign of King Edward the iiiith the xxth between John Gare of Saint Mary Cray in the county of Kent, cordwainer on that oon partie and Walter Byse, son of John Byse sumtyme of Wimelton, in the same county, fuller on that other partie, Witnessith that the saide Walter hath covenanted with the saide John Gare for the time of viii yeres, and that the saide John Gare shall find the saide Walter mete and drink and clothing during the saide time as to the saide Walter shall be according. Also the saide John Gare shall teche the saide Walter his craft, as he may and can, and also the saide John Gare shall give him the first yere of the saide viii yeres iiid in money, and the second yere vid and so after the rate of iiid to an yere, and the last yere of the saide viii yeres the saide John Gare shall give unto the saide Walter x shillings of money. And the saide Walter shall well and truly kepe his occupacyon, and do such things as the saide John shall bid him do, as unto the saide Walter shall be lawful and lefull, and the saide Walter shall be none ale goer neyther to no rebeld nor sporte during the saide viii yeres without the licence of the saide John. In witness

<sup>1</sup> *Gild Merchant*, i. 117.

<sup>2</sup> In many towns there was a *Corpus Christi Gild* which embraced the crafts (Gross, *Gild Merchant*, i. 118) and may have been a survival of the gild merchant in its religious aspect; it was chiefly concerned in organising a great pageant on *Corpus Christi* day. A very complete account of the proceedings and of the part which each separate mystery took in the combined religious play annually performed at York will be found in Miss Toulmin Smith's *York Plays*.

<sup>3</sup> The trust occasionally reposed in apprentices may be gathered from the story of a runaway apprentice in Riley's *Memorials*, 629.

whereof the parties aforesaide chaungeably have put their A.D. 1272  
seales this daye and yere abovesaide<sup>1.</sup>" —1377.

(b) It is far harder to describe the precise position of the *Journey-men*. craftsman who had finished his years of apprenticeship, but did not yet take rank as a master in his calling. We are for the most part left to infer it from incidental remarks, and it is not always possible to interpret these with any certainty. There is reason to believe that the journeymen were a comparatively late development, and that they did not, at all events at first, constitute a separate class<sup>2.</sup> In 1415 much scandal in London was caused by the conduct of certain journeyman tailors, who associated themselves together and occupied houses apart from<sup>3.</sup> their master, and this incident throws a good deal of light on their position at this date, when the causes which modified the earliest gild arrangement had had time to operate. On the whole, we shall not be very far wrong if we think of the skilled workman as occupying a somewhat similar position to the apprentice in the last year<sup>4.</sup> of his training, but with somewhat higher wages. Disputes were of course settled by the wardens of the craft, and there are many cases where we see care exercised to secure fair conditions for the employed<sup>5.</sup> As, however, in later days the management of the craft affairs fell more and more into the hands of wealthy members, it is not unlikely that the workers had grievances which the officials of the gild took little pains to redress.

There is reason to believe that during the fourteenth century the distinction between the employer and employed became more marked; the masters increased in wealth, and there were many skilled workers who had to be content with never attaining to the highest status. That under these circumstances the body of craftsmen should feel their position bitterly is not unlikely; and there is every reason to believe that in the fifteenth century there was oppression of

<sup>1</sup> MS. O. 2. 58 in Trin. Coll. Camb.

<sup>2</sup> Ashley, *Economic History*, 89. But compare the Assize of Bread where servants and lads are mentioned as well as the baker.

<sup>3</sup> Riley, *Memorials*, 609.

<sup>4</sup> *Ibid.* 542.

<sup>5</sup> The ordinance of the Braelers (makers of braces) for the sick journeymen may be noted. Riley, *Memorials*, 277.

A.D. 1273 the working craftsman by the employing master<sup>1</sup>, but the evidence is not altogether clear. For instance, one cannot be positive as to the position of the servants who are mentioned in the articles of the lorimers quoted above; were they skilled workmen or mere unskilled helpers who assisted in some subordinate capacity? Nor do we know the real composition of the so-called Yeomen's Gilds<sup>2</sup>. In some cases too, the journeymen and masters appear to be struggling side by side to get better terms from the public, as in the last days of the gilds masters and journeymen were found in one camp in opposition to a new class of employers<sup>3</sup>.

*Yeomen's  
gilds.*

A.D. 1396.

*The  
Master.*

(c) The *Master* was a substantial man and a householder who both from his skill and his position in the town could undertake the responsibility of training an apprentice. All the members of his household enjoyed the gild privileges—his wife, daughter, and the maidservants were permitted to help in the craft<sup>4</sup>. In most cases, too, the privilege which he thus possessed descended to his widow<sup>5</sup>. As time went on—in the fifteenth century—the masters came more and more to be the employers of other men's labour rather than actual workers; and there was in some trades a tendency to fence round the position of master with payments that were practically prohibitory<sup>6</sup>; but even in the reign of Edward III. the rich members of some gilds were coming to be more and more occupied in wholesale trading, rather than manufacturing properly so called, and merchant companies were organised for trading in a special class of goods<sup>7</sup>. These were in some instances offshoots of a craft gild, in others they had an independent origin, but when they were once started they developed with great rapidity and soon attained to a very remarkable degree of power.

<sup>1</sup> See below, p. 395.

<sup>2</sup> Riley's *Memorials*, 542, 609.

<sup>3</sup> Brentano, *History and Development*, 111. In 1350 and 1387 civic regulations were made regarding wages which appear to have been in the interest of the public against the gild, not of masters in the craft as against servants. On the other hand, employing shearmen complained of the journeymen's demand in 1350, Riley's *Memorials*, 250. Compare also the journeymen Cordwainers, *Ibid.* 495; Saddlers, 542.

<sup>4</sup> *English Gilds*, 180. Riley, *Memorials*, 217, 278, 547.

<sup>5</sup> Brentano, *History*, 68.

<sup>6</sup> *Ibid.* 86.

<sup>7</sup> These companies assumed a position of great importance in the time of Richard II., and they are more fully described below, p. 840.

## V. ECONOMIC DOCTRINE.

106. The rapid development of trade, which had taken <sup>A.D. 1273</sup> <sub>-1377.</sub> place in the twelfth and thirteenth centuries, had rendered commerce a very important element in social life. The commercial classes had attained an independent status in their gilds merchant, and their representatives were able to take a decided part in the government of the realm. And as merchants had such a distinct and well marked position, and were such an important factor in the State, it was natural that special attention should be given to their requirements, and that men should reflect on the conditions which would promote the prosperity of merchants and through them that of the realm. The time was ripe for an advance in economic doctrine, for economic phenomena could be easily examined as a well marked group of social affairs.

The fourteenth century too rendered some examination <sup>and monetary problems.</sup> of commerce, and especially of the medium of exchange, not only possible but inevitable. In many countries the coinage had been much debased, and internal trade as well as foreign commerce was hampered by the scarcity and defective character of the circulating medium. The difficulty has come before us in the accounts of the reign of Edward I and especially of Edward III., and the various proposals that were made show that the legislators were feeling their way and had no clear doctrine in regard to money and coinage. A very successful effort had been made by a French bishop, <sup>Nicholas Oresme's treatise.</sup> however, before the end of Edward III.'s reign, to investigate the whole subject; and his treatise *De mutatione Monetarum* may be regarded as the first careful study of the reviving commercial life of Europe. Its interest lies partly at least in the fact that it is not a mere re-setting of fragments of classical learning, but is a careful examination of the actual difficulties that were felt in commercial circles at the time when the author lived.

Some information in regard to the economic doctrine of the fourteenth century may be obtained from another source;

*A.D. 1272  
—1377.  
Business  
practice as  
evidence  
of city  
opinion.* the condemnation which city authorities pronounced and enforced on certain forms of business gives us an insight into city opinion as to the legitimate and the baneful use of commercial capital. The sixteenth century worked a revolution in mercantile habits and ordinary business practice, as in much else, but it is interesting to notice the narrow sphere of activity which was open to the moneyed man in the fourteenth century.

*Oresme's  
treatise  
known in  
England.* 107. During the whole Edwardian period we have seen how a conscious regard to the well-being of the realm as a whole was superseding the mere municipal privileges of the earlier reigns. In the work of Nicholas Oresme, which was apparently written in 1373, some years before he was elevated to the see of Lisieux<sup>1</sup>, this comes out with great clearness. It was known and circulated in England and an English version was attempted by a translator who was quite incapable of carrying out the work intelligently, but his unsuccessful effort at all events proves that the work was known and valued in England in the earlier part of the fifteenth century<sup>2</sup>. It had to do with questions of coinage—a matter of pressing interest both in England and France. Before dwelling on the economic doctrine it contains however, we may just note the political principles embodied in it.

*The money  
belongs to  
the com-  
monwealth.* The fundamental point in his whole argument is the assertion that the money of a country belongs to the community and not to the prince; it is not the sole possession of the monarch, as it is not intended for his sole use, but for a social purpose<sup>3</sup>. The prince has authority to issue coinage and regulate it, though it is not his own possession, but that of the whole body who have the use of it. From this principle the author deduces an opinion that the expense of minting should fall on the community; and he also insists that the prince has no right to make a gain out of the coinage or to tamper with it in any way.

The object which the prince should keep in view in all

<sup>1</sup> Wolowski's edition, p. xxxiv.

<sup>2</sup> This translation, in a hand which appears to be not later than 1450, is in the Library of Trinity College, Cambridge, O. 8. 11.

<sup>3</sup> cc. 5, 6.

acts of government is clearly stated, while the conduct of the A.D. 1272 tyrant is contrasted<sup>1</sup>. The tyrant aims at his own private good and tries to subordinate the subjects to this end; the king on the other hand prefers public to private 'utility,' and next to God and his own soul he loves the good and the public liberty of the subjects. The whole treatise is full of references to the *Ethics* and *Politics* of Aristotle, such as are not common in fourteenth century books. It is also interesting because the author disputes the opinion expressed in the *Opusculum* attributed to S. Thomas Aquinas and shows that the prince has no right to make gain out of the coinage. So grave are the economic evils which come from debasement, that the community itself could never be justified in delegating a power of this kind<sup>2</sup>, and the prince neither possesses it inherently nor is there any source from which he can receive it.

Even though this treatise did not fulfil the author's expectation<sup>3</sup> and serve to set all controversy on the subject of coinage at rest, it may fairly be credited with very great practical results. During the reign of John the Good, and especially in the years 1359 and 1360<sup>4</sup>, the French coinage had undergone a series of constant variations; and the evil effects of the uncertainty thus produced were everywhere patent. Nicholas Oresme as the tutor, or at least adviser, of Charles V. had ample opportunity of indoctrinating that king with his own views on the currency, and during his reign practical effect was given to the views expressed in this treatise, as the fluctuations ceased with most beneficial results as far as the commerce of France was concerned. M. Wolowski<sup>5</sup> has pointed out that Nicholas Oresme formulated opinions which were prevalent and were embodied in a great ordinance of 1355, issued from Paris. It is also true to say that some of the views he promulgated were those on which Englishmen were acting. This is especially obvious in regard to the political principles which he put forward; with him the 'communitas' is not the commune, but the commonwealth. He is not merely concerned to

<sup>1</sup> c. 25.

<sup>2</sup> c. 22.

<sup>3</sup> Prologue.

<sup>4</sup> Wolowski's edition, p. xlii.

<sup>5</sup> p. xlvi. note.

A.D. 1272  
—1377. promote the well-being of some incorporated town, as against other towns, but he deals with the whole body politic in which the same coins circulate, for whose use money is provided, and to whom it belongs. In thus making a clear survey of the national possessions and obligations, as well as the national relations to other countries, Oresme took the standpoint of political rather than of municipal economy; and it is the good of the polity, not the advantage of the person who occupies the throne, that he considers. The conceptions of national wealth and national power were ruling ideas in economic matters for several centuries, and Oresme appears to be the earliest of the economic writers by whom they were explicitly adopted as the very basis of his argument.

*National wealth.* 108. The treatise of Nicholas Oresme is not only interesting from the standpoint he adopts, but because of the acuteness with which he discusses many matters of economic interest. He shows the convenience of exchange, because of the difference of natural products in different places; and he defines money as the instrument of interchanging the natural riches which in themselves supply human wants. Money does not directly support life, but is an instrument discovered by art for the more ready exchange of natural wealth<sup>1</sup>. From this distinction it appears to follow that some men are engaged in supplying the commonwealth with natural riches and thus pursue useful and honourable callings, which are necessary for the community<sup>2</sup>. There are others who enrich themselves by transactions in artificial riches, as exchangers or usurers; and who are superfluous to the community as they do not cater for its necessities, and are disreputable; while their riches are often obtained by the impoverishment of others. This may be regarded as a hint of a distinction corresponding to that which modern economists have drawn between productive and unproductive labour; honourable callings supply the actual needs of the community, physical and spiritual, directly; men who follow disreputable callings do not really cater for the needs of the community, but enrich themselves at the expense of their neighbours.

*Riches natural and artificial.*

<sup>1</sup> c. 1.

<sup>2</sup> cc. 18, 21.

The author also discusses the materials of which money <sup>A.D. 1272</sup> <sub>—1377.</sub> may most suitably be made<sup>1</sup>, and decides in favour of the *Material for money.* precious metals; they can be readily handled, they are portable, and they have much value in small compass. All these qualities gold possesses in a high degree, but it is not always available in such abundance as to be a sufficient medium of circulation, so that it may often be necessary to use silver also, and even baser metals like copper or an alloy of silver like black money<sup>2</sup>, which is besides convenient for small payments. He lays down as a rule that if two kinds of metal are circulating together, the more precious should not be alloyed, but should be kept above suspicion, while a sufficient supply of money may be provided by an alloy of the less precious of the two.

Next we have a discussion of the different ways in which *Alteration of money* money may be altered. The stamp<sup>3</sup> on the coins may be altered, but this is of little importance, as long as it involves no farther change; though there may be good reasons for calling in the old coinage when this is done, if worn coins or debased foreign coins are in circulation. Again the ratio of exchange between gold and silver may be altered; Oresme assumes that 20 to 1 is the ordinary ratio of exchanges, and he rightly holds that their ratio as coins ought to follow the relation of gold and silver as commodities, and that there should be no arbitrary rate<sup>4</sup>. This is perfectly sound as far as it goes: the farther question—what determines the ratio of exchange of gold and silver?—is one on which he does not enter; and indeed it was not satisfactorily dealt with even by the economists who discussed recoinage in the time of William III.: they had made but little advance on the mediæval doctor.

He then passes to consider another expedient—that of *in denominatio nation* altering the denomination of the money by affixing a new sense to the old names; if only one name is altered while the others are preserved, that is a change of ratio; but if all

<sup>1</sup> c. 2.

<sup>2</sup> c. 8.

<sup>3</sup> c. 9.

<sup>4</sup> Verumtamen ista proportio debet sequi naturalem habitudinem auri ad argentum in pretiositate, et secundum hoc instituenda est hujusmodi proportio, quam non licet voluntarie transmutare, nec potest juste variari, nisi propter causam realem, et variationem ex parte ipsius materie, que tamen raro contingit. c. 10.

A.D. 1273 —1877. are altered, so that the ratio is preserved, there can be no good result; and it ought not to be done, because it is merely false and scandalous to call that a pound which is not a pound. Besides it will be really prejudicial to those who have made agreements about regular payments, such as rents, in terms of coin.

*by reducing weight and debasing.* Diminution of the weight of coins, as well as the coining of less pure metal, are both condemned as false, and unworthy of the prince; but the latter is worse as it is less easy to detect: “magis est sophistica et minus perceptibilis et magis potest nocere et plus lædere communitatem<sup>1</sup>.” All through there runs the idea that for the prince to issue money under his own image and superscription which is not what it purports to be, is mere lying; and that to try and get gain by so doing is to grasp at wealth which is not really his. In one very interesting chapter the author proves that to get wealth in this way is worse than usury—in fact it is a depth of depravity to which Aristotle’s contemporaries had not attained, so that the philosopher does not discuss it at all. For the usurer lends his money to one who has made a voluntary contract with him<sup>2</sup>, while the prince who debases the currency deprives the subject of good money and gives them bad, whether they like it or no.

*Effects of debasement.* The author follows out the evils that arise from debased currency in some detail. The prince may have to condemn utterers of false coin, but how scandalous if he were guilty of the same crime himself. There is a temptation to get gain in this way rather than by levying taxes, because it does not cause such immediate complaint; but it is all the more perilous on that account: for where bad money has been issued, good money will be carried out of the realm, however careful the supervision may be, and debased money, similar to that which already passes, will be imported from abroad. In this way the bullion of the country will be diminished, and if there are no mines, the prince will not have the necessary material for issuing coinage<sup>3</sup>. Altogether it may be said that a very large number of points of economic

<sup>1</sup> c. 18.

<sup>2</sup> c. 16.

<sup>3</sup> c. 20.

doctrine in regard to coinage are discussed with much <sup>A.D. 1272</sup>  
judgment and clearness. <sub>—1377.</sub>

109. The treatise of Nicholas Oresme gives us the clearest light on mediæval doctrine about the circulating medium, as regards the government; but we have a curious <sup>City</sup> <sub>opinion on monetary transactions.</sub> case recorded which serves to illustrate the nature of the monetary transactions in the City, and the opinions of business men about them.

In the month<sup>1</sup> of January, 1377, Ralph Cornwaille, of Broad Street, made a complaint to the Mayor and Aldermen of the City of London. At the preceding Michaelmas he had been anxious to get a loan for a period of three months, and went to two brokers, one of whom was a Lombard<sup>2</sup>, to procure it for him, at the same time promising them a commission for their trouble in the matter. The brokers found that Walter Southous was willing to lend the money (either his own or acting on behalf of a friend) on receiving security for the repayment of the full amount on a given day from Ralph Cornwaille, as well as similar security from Ralph's friend, John Tettesbury. When the necessary documents were complete, however, the brokers only advanced £10 to Ralph; at the time of repayment, he tendered the £10, which was all he had had, but Walter Southous refused to receive it, persisted in his demand for £2 more, and sued Ralph before the Sheriff, to his "great wrong and damage".<sup>3</sup>

The case was a hard one according to modern ideas, for 20 <sup>at interest</sup> per cent. was an extravagant charge for a three months' loan fully secured; but the wrong which rankled in the mind of Ralph was not that the interest was extortionate, but that he was called to pay interest at all,—to return anything more than he had received—and his view of the case was fully endorsed by the City authorities before whom the matter was re-opened. Some years before this time, King Edward III. had empowered the men of the City of London to form a special tribunal to deal with cases of the sort<sup>4</sup>. They had

<sup>1</sup> This and the following paragraphs formed part of a paper read before the Bankers' Institute and published in the *Journal*.

<sup>2</sup> John de Saint Mariemont and Aldebrante Gascoigne.

<sup>3</sup> Riley, *Liber Albus* (4to.), 340.

<sup>4</sup> *Ibid.* 318.

A.D. 1272 framed their own ordinances and they had full power to enforce them. In the present case, Ralph Cornwaille was declared free from all obligations in connexion with the debt, and Walter Southous was condemned to be imprisoned till he made over double the £2 which he had tried to get by usury as a forfeit to the City of London. He had, with the cognisance of the brokers, disregarded the ordinances of the City of London against usury<sup>1</sup>—ordinances which the public opinion of the day completely endorsed<sup>2</sup>—and there could only be one result according to the law and feeling of the time when such conduct was brought home to him.

*Conditions of  
medieval  
business.*

The conditions of business in the fourteenth century were such that banking operations were very circumscribed. The most striking difference between their times and ours is the entire absence of commercial credit<sup>3</sup> as a basis for transactions of any kind; there were no bank notes or cheques, or other instruments of credit, except, perhaps, a few foreign bills. We must remember that transactions were carried on in bullion; men bought with coins and sold

<sup>1</sup> Framed in 1363. “Whereas heretofore the City of London has sustained great mischiefs, scandals, and damages, by reason of certain persons who, neither for fear of God nor for shame of the world, cease, but rather do daily exert themselves to maintain the false and abominable contract of usury, under cover and colour of good and lawful trading; which kind of contract the more subtilly to deceive the people they call ‘exchange’ or ‘chevisance,’ whereas it might more truly be called ‘mescheaunce,’ seeing that it ruins the honour and soul of the agent, and sweeps away the goods and property of him who appears to be accommodated, and destroys all manner of right and lawful traffic, whereby, as well throughout the land as the said city, they ought principally to be upheld and maintained.” In 1390, additional explanations were framed. “And whereas such ordinance is too obscure and it is not comprised therein in what is especially usury or unlawful chevisance, Adam Bamme, Mayor, and the Aldermen with the assent of the Commons of the said City in the Guildhall assembled on the twelfth day of May in the fourteenth year of King Richard the Second with good advice and wise deliberation thereon, with the assent aforesaid, have ordained and declared these articles as to usury and chevisance, in manner following, that is to say:—If any person shall lend or put into the hands of any person gold or silver, to receive gain thereby, or a promise for certain without risk, such person shall have the punishment for usurer in the said ordinance contained.” Riley, *Liber Albus* (4to.), 319, 344. Complaints of ecclesiastical laxity in this matter are not unfrequent. Compare *Rot. Parl.* III. 280 (24) and 541 (68).

<sup>2</sup> The Commons petitioned in 1376 that the ordinances of the City of London be enforced against usury and that similar powers be given to the bailiffs and mayors of all cities and burghs. *Rot. Parl.* II. 350 (158). On the transference and extension of municipal customs in earlier times see above, p. 209.

<sup>3</sup> Except what corresponds to book debts.

for coins ; loans were made in coins and repaid in coins ; a <sup>A.D. 1272</sup> special coin was struck for payments to foreign countries<sup>1</sup> ; and thus the whole currency was metallic. There was no <sup>1877.</sup> <sup>Metallic currency.</sup> paper circulation of any kind ; this continued to be the case, for practical purposes, till the latter part of the seventeenth century. Dealing for credit was little developed, and dealing in credit was unknown ; hence there was no room for a large part of the functions of modern banking.

It might have been supposed, however, that there was <sup>Exchange of coins.</sup> scope for business in money changing ; that just as the modern banker receives payments in " promiscuous money's worth," and converts them into money<sup>2</sup>, so there was need of some men to distinguish the different values of the coins of different countries, and to supply merchants from abroad or merchants going abroad with current coin in exchange for the money they had with them. This was certainly a very difficult business ; and the necessity of accomplishing it somehow led at a later time to the establishment of the Bank of Amsterdam<sup>3</sup>. But it was not a calling which was open to moneyed men in London in the fourteenth century, as it was carefully preserved as a prerogative of the Crown, and exercised by royal officers, or merchants who farmed it from the Crown for a period of years. The reason of this was obvious ; the minting of money was one of the royal prerogatives, and the officers of the Exchange were empowered to see that no foreign coinage got into circulation in this country, but that it was sent to the Mint for re-coinage ; and also that the English currency was not unduly exported. It was not unnatural, therefore, that the business of exchange should be kept in the hands of officials, though freedom was granted to merchants to exchange with one another as long as they did not do it for gain, but only for mutual convenience.

While two of the principal functions of modern banking were not open to the moneyed men of the fourteenth century, they were also restricted in their operations, because the

<sup>1</sup> The Noble. *Rot. Parl.* ii. 197 (14), 452 (117).

<sup>2</sup> Rae, *Country Banker*, 156.

<sup>3</sup> Adam Smith, *Wealth of Nations*, iv. 3.

A.D. 1272—1377. *Little demand for loans of capital.* opportunities for lending out money were comparatively few. The demand for money for commercial or industrial purposes, at the only rates at which men were accustomed to lend, was practically nil. It is not likely that the mediæval merchant was often able to make a profit on capital if he borrowed at 80 per cent., and, as a matter of fact, money was not borrowed except for emergencies,—as in the well-known case of *The Merchant of Venice*. The emergency might arise in many ways ; but it less frequently occurred in connexion with trade than from the sudden pressure of taxation on a man who was really wealthy, but had no ready cash in which to defray these demands. Thus royal and papal agents had the most frequent opportunities for lending money to English subjects ; the Jews had come over with the Conqueror and settled in the principal English towns to carry on money-lending as a sort of royal monopoly, the Lombards had come as the agents of papal taxation. In these times taxes were levied in large amounts, which were demanded every now and then as occasion arose, and the Jews and Lombards lent money to the subjects who were suddenly called on to pay large sums which they did not possess ; they might be wealthy land-owners or merchants, but their wealth could not be realised, and the Jew or Lombard was able to take advantage of their necessity to charge exorbitant rates. Money-lending in its beginnings here had nothing to do with commerce ; wealthy men borrowed in an emergency, or to equip for a war ; they could give ample security to the lenders, but the rate of interest they had to pay had no relation to the profits of commerce, for it was simply determined by the temporary necessity of the borrower. No wonder that the Commons complained<sup>1</sup> that “many men had been undone and brought to poverty by this horrible practice.”

A.D. 1376. *Gratuitous loans.* It is probable that even in an emergency merchants did not often have recourse to borrowing, as the gilds merchant made arrangements which enabled them, in some cases at all events, to get temporary aid<sup>2</sup> ; but for the ordinary course

<sup>1</sup> *Rot. Parl.* II. 850 (158).

<sup>2</sup> Compare the Gild Statutes of Coventry. Gross, *Gild Merchant*, II. 50. For other cases of gratuitous loans see above, pp. 289 n., 240 n. 1.

of business they preferred another expedient when they saw A.D. 1272  
 an opportunity of trading on a larger scale. They formed  
 temporary partnerships, in which two or more persons joined <sup>1877.</sup> *Partnerships.*  
 in the risks of an enterprise on the understanding that they  
 would share in the gains; this was lawful traffic as the men  
 of London understood it, and men who had money lying by  
 them might use it so as to gain by it fairly and honourably  
 if they would share risks and profits with other merchants.  
 There was no reason why a hoard should lie idle because it  
 could not be borrowed on a promise for certain gain without  
 risk, as it might be clubbed with the hoards of other men  
 who shared risks and profits together. No objection, either  
 ecclesiastical or popular, was made to such a manner of  
 proceeding as this; while it was available there was no  
 necessity to borrow capital for trading purposes; and hence  
 the field for lending money was limited, although the rates  
 at which it could be done were exceedingly profitable.

Lastly, and most important of all, there was in those days *Total mass of money small.*  
 a comparatively small supply of money which could be loaned  
 out; the whole amount of the precious metals in Europe was  
 small, and though England had long carried on a prosperous  
 trade, the drain for papal taxation and political purposes  
 must have been considerable. In the reign of Edward III.,  
 indeed, the spoils of Calais and the newly-planted industries  
 may have combined to bring more bullion to England, and to  
 render it more common for merchants or other burgesses to  
 possess a hoard which they did not know how to use; but at  
 all events it was convenient that the business should be  
 carried on by the intervention of brokers, who brought the  
 borrower and lender together, and had a commission for their  
 trouble; this seems to have been the nearest approach to  
 banking during the fourteenth century in the City. The  
 ordinances of 1363 mentioned above<sup>1</sup> are very instructive as  
 to the usual practice, and the opinion of the city authorities  
 on the subject. "Whereas such bargains are but rarely  
 carried out without false brokers, who, for their own profit,  
 do often intermeddle so as to deceive both parties, the said  
 good folks have also ordained and established, that all those

<sup>1</sup> See above, p. 826.

A.D. 1272 —1377. who shall from henceforth be attainted of acting as brokers in such knaveryes, shall, the first time be put in prison one whole year; and if they shall be a second time attainted thereof, that they shall forswear the said city forever, and shall be led through the city, with their heads uncovered, unshod, and without girdle upon horses without saddles; and shall be so escorted from the midst of the place unto without one of the gates of the said city that so all others may be warned through them, and be the more abashed to commit such or other like knaveryes. And be it made known that the intention is of all the good folks that the punishments aforesaid shall be incurred as well by those who shall be attainted of being partners in the said bargains, as by the principals therein<sup>1</sup>." Evidently an evil time for those who had hoards they were disposed to lend, or for the brokers who brought the lender and borrower together, and thus did banking business.

*The merits of the case.* 110. This account of fourteenth century opinion may be rendered clearer if we revert to the consideration of the special illustration quoted above. Ralph Cornwaille went to the Lombard broker who was to negotiate the loan and get something for his trouble; so far it was all right, no one took exception to such payment for a real service rendered.

*Security.* Walter Southous demanded full security that the money should be repaid at a definite date, and there, too, his conduct met with full approval from city men at the time. He might be inconvenienced if he lay out of his money beyond the given time, and if the borrower did not keep his day; to avoid risks as to repayment and risks as to punctuality he was perfectly justified in seeing that the debt was amply secured. But when he went further than this and charged for the use of the money, public opinion did not support him. His money was safe, it appeared, he was sure to get it back

*No gain if there is* at the time he wanted it himself; and that being so, why should he charge for the use of it? He need not, they would have said, have lent the money unless he liked,—unless it was lying idle in his strong box,—but having lent it why should

<sup>1</sup> Riley, *Liber Albus* (4to.), 820.

he be paid for an action which involved no risk and no privation? Of course, if there was risk, or if the borrower 'broke day' and caused inconvenience, there was a reason for making a charge; but the case we have before us was typical of a vast number of transactions when there was no real risk and no real privation, and therefore, as men thought, no justification for taking *usury*, or *interest* as it is more commonly called in the present day. We may regard 80 per cent. as an excessive rate of interest, but the city men of 1377 did not condemn it because it was excessive; in their eyes it was wrong that there should be any charge for the use of money, of which the repayment at a given date was fully secured. 'No risk, no gain' was their maxim of lawful traffic, and therefore, from their point of view, the man who took security, or otherwise bargained himself out of all the risks of trade, had no claim to share in the profits.

What then were the reasons of a feeling, which is at first *The* sight unintelligible? Modern men would be inclined to say *modern justification of* 'that so long as the rate was not excessive, Walter Southous did a real service to Ralph Cornwaille by lending him the money when he wanted it, and that the Lombard showed himself a useful member of society by introducing the two, and thus bringing about a transfer of capital that was lying idle into the hands of a man who had occasion to use it. Such money-lending was in itself useful to society; and even though risks were excluded by the terms of the bargain, the wealthy man required some inducement to render the other a service; had the City authorities not made regulations which rendered it necessary to do such business secretly he would probably have been satisfied with a moderate rate; Ralph Cornwaille had to pay highly for the accommodation, because of the mistaken attempts at regulation.' Such I take to be ordinary city opinion now, that (a) money-lending is useful to society by bringing capital into the hands of men who see their way to employ it well; that (b) people must have some inducement beyond security for its return, or they will hoard their money instead of allowing others to use it; and that (c) exorbitant rates have been brought about by mistaken governmental or ecclesiastical interference. From each of

A.D. 1272 these propositions city opinion in the fourteenth century —1377. would have dissented.

*Interest was charged at monopoly rates.* To begin with (c): As a matter of fact, money-lending for the sake of gain had first appeared in England under royal, and had continued under ecclesiastical, patronages. The high rates paid to the Jews were not due to the risk incurred in evading the law, as there was no tribunal which could touch a Jew for his part in such business. The high rates obtained by the Pope's merchants were apparently charged under forms which were not condemned by the Canon Law, and there was no appreciable danger of their being convicted in any of the ecclesiastical courts. The exorbitant rates were charged because there were comparatively few moneyed men, and these men were able to trade upon the necessities of their fellow-subjects.

*Partnership gave facilities for commerce.* Again, it would have been said in reply to (b), that the opportunities for gain which partnership afforded were quite sufficient to draw out the hoards of the wealthy. 'Let him have full security, or let him have gain,' but money was forthcoming without bribing men by offering both security and gain. Partnership in risks and in gains was the true way to develop sound enterprise: brokers would be well employed in arranging such partnerships, and there was ample inducement for the wealthy man to bring out his money and have it employed for him. But if he would not take business risks, he ought not to bargain for a share in business gains; however small the sum he asked might be he was claiming an *assured* gain when the speculation might really fail, and the borrower have to pay for the use of money which had as a matter of fact proved useless. If he liked to lend money for which he had no use, and to require repayment at a given date, and get security for the repayment, good and well; but to ask for the most moderate usury for money he could not use, and would not risk, seemed to the men of that time quite unjustifiable and merely extortionate.

*And it was not obvious that money-lending would* And hence the fourteenth century city men would have emphatically denied (a), since money-lending was not useful to society according to their notions. Apart altogether from the injurious effect on the morals of the lender, which the

Church should look to, apart altogether from the injury done A.D. 1272 to the borrower who was lured by an unreal advantage to his ruin, it did mischief to society by hindering lawful traffic ; just because men could make large sums by lending, they were less likely to join in partnerships, and undertake the risks of trading, though it was by 'lawful traffic' and not by money-lending that the prosperity of the country was really developed. In so far as the wealth of moneyed men was diverted to usurious dealings<sup>1</sup> instead of being employed in regular trade, there was a danger and not a benefit to society, for money was actually diverted from the directions in which it could be best used for the real advantage of the nation. On the whole it appears that city opinion was in perfect harmony with the principles about natural and artificial riches which are laid down in Oresme's treatise.

<sup>1</sup> John Gower, *Vices of Society* in *Political Songs* (Rolls), l. 358.

## IV. LANCASTER AND YORK.

### I. DISINTEGRATION AND THE BEGINNINGS OF MODERN SOCIETY.

A.D. 1377  
—1485.  
*Signs of  
national  
progress,  
both  
material  
and social.*

111. THE course of English History till the reign of Edward III. was marked by continued, if not steady growth. Even the struggles which brought about temporary disorganisation had resulted in the infusion of new and valuable elements into the population. Danish settlers and Norman artisans found a footing on our island along with the agriculturists who had won it at an earlier time. From the Norman Conquest onwards, we appear to have a constant development of the powers of producing wealth. There was a rapid increase in the towns and a real progress in the rural districts, as is evidenced by a comparison of *Domesday Book* with the *Hundred Rolls*; and the monuments which survive prove the excellence to which Englishmen had attained in many of the arts of life.

There also had been a great improvement in the means of regulating the industrial and commercial forces of the country. The moral suasion of the Church, in protesting against slavery, in securing the weekly rest of the serf, or in seeking the protection of the pilgrim, was no longer the chief factor in introducing improved conditions for industry and for trade; the king's peace and royal charters had given definite securities here and there, parliament had begun to legislate for the country as one industrial and com-

mercial whole, and the ambition of Edward III. synchronised <sup>A.D. 1377</sup> <sub>—1485.</sub> with a definite scheme for the relations of England with other trading countries.

But social growth implies changes which cannot but be *Decay of local institutions*; the old local independence and local institutions were giving place to national ones; if there was a real importance in the growth of national powers, it was perhaps an inevitable result that local life, industrial and political, should at any rate cease to develop, and as new circumstances arose, should be proved inadequate. Edward I. possibly intended parliament to do little more than supplement the existing institutions, and during his reign it may be that both were doing good work and that the local courts and chartered towns were conducting their affairs wisely in the comparative peace which was secured them by a strong ruler. But the succeeding reigns tried them severely; the parliament not only supplemented but superseded their powers<sup>1</sup>, while the feeble government of Edward II., and the economic difficulties of the time of Edward III., subjected them to a very severe strain. Along with the growth which has been pointed out thus far, there was a very real *becomes apparent in the time of Richard II.* decay, and the reign of Richard, with the social convulsions that marked it, brings into clear light the darker side of the changes which had been taking place in the previous reigns. Grievances which had indeed been felt before, now made themselves plainly heard; they might not be redressed, but at least they could no longer be ignored. The Peasants' Revolt brings clearly before us the disintegration of the old rural economy and prepares us for noticing the gradual decay which went on unchecked in rural districts during the Lancastrian and Yorkist reigns.

112. It was not merely in rural districts that we find *Decay of royal authority on land* traces of disorganisation and decay on all sides. The central power was weak and ineffective; usurpation and foreign conquest made the king a disturbing factor in society, and the delegation of his powers had rendered him a less effective agent for ruling than in Norman days. The formation of a

<sup>1</sup> Compare in our own days how the School Board system has tended to supersede, not merely to supplement, voluntary efforts.

A.D. 1377  
—1485.

parliament had done much to strengthen the central authority, but the king as king was a less important factor in the national politics than he had once been. But the failure of Richard II. to secure absolute power, the usurpation of Henry IV., and the weakness of Henry VI., all contributed to lower the importance of the kingly office. A strong monarch like Edward IV. was able to do much to assert himself, but it may be said of him, and of the Tudors, that they appeared strong, because there was no effective resistance; it may be doubted if they had the same influence in controlling the conduct of affairs throughout the realm—so much power to rule—as Edward I. or even as Edward III. And if the Crown was ineffective for internal rule, it was not successful in fulfilling the duty most recently undertaken of protecting the realm from enemies on the seas, and in finding a footing for our citizens in foreign parts. English shipping continued to suffer from the attacks of pirates; the English coasts were plundered by ferocious expeditions that recall the days of the Danish invasions; and the terms of the commercial treaties, of which so many were made during this period, show that trade was not a peaceful calling.

*Parlia-  
ment.*

While the royal power was thus wanting, it cannot be said that the parliament was as yet either wise enough or strong enough to provide an effective substitute, or to maintain a strong central government; the Lancastrian parliaments furnished important precedents in regard to constitutional procedure, but they were not altogether deserving of respect, and their influence was not such as to provide the country with a really strong central authority.

*Decay of  
manorial  
powers,*

Further, the local agencies which had been specially concerned with industry and commerce in their details were ceasing to be effective. The manorial system was doomed from the time of the Black Death, and an agricultural revolution was spreading slowly but surely throughout England; not till the time of the Tudors did it advance so rapidly as to attract the great attention it deserved, but one of the social changes, which was a concomitant in this revolution, came into startling prominence in 1381. When Richard II. ascended the throne a large proportion of the English

peasant population were serfs; when Henry of Richmond A.D. 1377 defeated the third Richard, serfdom was fast becoming extinct. Manorial authority was ceasing to have the practical importance which it had once possessed in regard to all the details of village life.

Nor did it fare better with the regulation of town industry; many of the towns were over-assessed and sank into decay under the burden of taxation for the war, but even in cases where trade was expanding, just because it was a time of growth, there was a strain on the industrial organisation. It could not readily adapt itself to the new circumstances which had arisen in consequence of this expansion; the management of commerce by Livery and other Companies may have undergone some improvement, but the system of craft gilds, at any rate in London, was beginning to get out of gear, as we may note with special clearness in the time of Henry VI.

The weakness, which is seen in all these civil authorities, *and of ecclesiastical influence.* also affected the ecclesiastical powers; from one cause or another they no longer inspired the respect which had once rendered them important factors in the economic life of the realm, and this may be one reason why the condition of secular morality sank so terribly low as it appears to have done during this period<sup>1</sup>. But in some directions at any rate, the secular consciousness imposed a stricter rule than ecclesiastical authorities tried to enforce; the laxity of the courts Christian in regard to usury and chevisance is a complaint on the part of city men—who certainly showed no inclination to connive at these malpractices. Nor do the monasteries appear to have been altogether exemplary in providing for the relief of the poor, when they needed an admonition from parliament in regard to this matter.

113. The reign of Richard II. may be regarded as a *A new departure.* turning-point, because in the course of it this process of decay comes into clear light, but it would be an error to regard this age as destitute of all constructive force. We may see in it the germs of economic ideas which were destined to have most important results in the subsequent history of the

<sup>1</sup> Denton, *Fifteenth Century*, 119.

A.D. 1377  
—1485.  
*Reversal  
of old  
policy*

*and first  
signs of  
mercantile  
system.*

country. The commercial policy which had harmonised with Edward III.'s political aims was discredited by failure, and a new scheme, pushed on, as we may believe, with the approval of London merchants, began to appear; in its main outlines it maintained itself till the present century. It was a policy of encouraging the native shipping which Edward III. had neglected; it favoured native merchants and subsequently artisans in opposition to aliens, and at the possible expense of consumers; there were deliberate endeavours to encourage the agricultural interest and especially the corn grower; part of this new scheme was to attract the importation of bullion for the accumulation of treasure and not merely with a view to the maintenance of the purity of our coinage. In all these respects the legislation of Richard's parliaments is very different from that which took place under Edward III., —it was a distinct reversal of his commercial system—while it marks the beginnings of the policy which was embodied in the Corn Laws, of the Navigation Laws and of the deliberate manipulation of commerce with the object of procuring bullion. That these three objects of policy are closely allied we shall see below, but in Richard's time they seem to have been adopted separately to meet passing practical needs. The keystone which eventually welded them into a 'mercantile system'—the desire of national power—was not altogether wanting in Richard's reign, though it was not so potent as it afterwards became; but we may certainly feel that an age which took a new departure in so many directions, and with such far-reaching results, is not without great constructive importance in the story of English commerce. The history of after times throws a strong reflected light on the maxims of commercial policy which were coming into operation from the time of Richard II.

*The classes  
of society.*

114. In looking back too, we may discern something more than decay in the structure of society; mediæval groups were breaking up, but modern distinctions were also beginning to appear, and we see indications of those lines of cleavage which are familiar to us in modern times, and which have given us the different classes of our existing society. Feudal society was an aggregation of local groups, each

directly connected with the king as head ; the inhabitants of A.D. 1377 each place had their status in that group, and only in it, whatever their status might be ; and in this there were great varieties. In Edward III.'s sumptuary laws however, there is a recognition of classes in the community, and this appears more clearly at the time of the Black Death and in the subsequent 'statutes of labourers,' which attempted to enforce *Labourers.* regulations for one class wherever they were found, throughout the whole country. Before Tudor times however, the main lines of cleavage of English society had ceased to be perpendicular, into privileged local groups, but had become horizontal, into separate classes, and classes precisely similar to those we have now. Employer and Employed, Landlord and Tenant are seen with the relations between them reduced to something like the simple cash nexus of modern times ; social conditions became such that the owner of capital could make himself felt as an important power, not *Capitalists.* only in commerce, but to some extent in relation to land and industry as well. Large capitals were invested in sheep farming, and the wealthier companies and wealthier members of them were the dominant powers in industrial life in London.

The reality of this structural change must not be ignored, for it had very important results ; there is sometimes a *Positive results.* temptation to speak as if the halcyon days of English prosperity had been arrested at the death of Edward I., and mere disorganisation subvened till the strong government of the Tudors rendered progress possible once more<sup>1</sup>. But the two centuries which intervened between the time of Edward I. and Henry VII. were not wholly barren, and the Tudors did not take up the task where Edward left it. It may be that the soil had rest while the nation was distracted, and that a silent recuperation had taken place unknown and unobserved ; in any case the manorial farm of Edward's days would have been a terrible obstacle to the agricultural improvement which was begun under the Tudors, and pushed on during the Stuart reigns. But whereas commerce had merely been municipal and inter-municipal in

<sup>1</sup> Denton, *Fifteenth Century*, 65, 124.

A.D. 1377—1399. Edward's time, it had become national and international in Tudor days; while a vast amount of experience as to the possibility of regulating industry, and the best methods of promoting commerce had been acquired. When we see how intimately the great industrial and commercial code of Elizabeth is connected with previous attempts at legislation, we can judge better of the real advance which was made during the long period of depression and transition.

## II. THE MERCANTILE CLASS AND THE PEASANTS.



115. The first hints of the so-called mercantile scheme of commercial policy and the increasing importance of capital have been spoken of above as the two main elements which attract our attention at this time. It is not fanciful to connect them both with another phenomenon which is noticeable during the reign of Richard II.—the wealth and political importance of the merchant class.

It is not a little remarkable, that in spite of the disadvantages of which they complained the mercantile classes had been growing in wealth and importance during the reign of Edward III.; the ranks of the nobility were even then recruited from among English merchants<sup>1</sup>. But the progress of the mercantile class may be more clearly shown from their increasing organisation, and the formation and incorporation of companies<sup>2</sup> of merchants, each of which dealt in a particular class of goods. We have the most detailed

<sup>1</sup> Bourne, *English Merchants*, 65, 68.

<sup>2</sup> According to the view here taken we first have the gild merchant regulating dealing of all kinds within the town (see above, p. 206): next we have craft gilds, regulating the production of a particular class of goods (see above, p. 309): now we have livery companies regulating dealings, especially if not exclusively wholesale dealings, in a particular class of goods in a given city; and later we have the merchant companies, trading in all sorts of goods with particular foreign countries, and within specified limits (see below, p. 371). There are some signs of all these gilds and companies in the history of London, though the existence of a gild merchant in London is doubtful. It is not perhaps quite clear that the twelve great companies have any precise analogue in other English towns; but there were gilds merchant, craft gilds, and merchant companies in many of them.

account in regard to the formation of the Grocers' Company, A.D. 1377 which grew out of two older bodies, as none but Pepperers of Soper's Lane, or Spicerers of the ward of Cheap were eligible for election to the new fraternity<sup>1</sup>. Formed in 1345, the company grew so rapidly during the next twenty years as to arouse the jealousy of other traders<sup>2</sup>, and not without some cause: for no fewer than sixteen of their members were aldermen<sup>3</sup>, and one of them, Nicholas Brembre, seized the mayoralty for a second time by violence in 1385<sup>4</sup>. But the mercers, drapers, fishmongers, goldsmiths, vinters, and merchant tailors were also important companies, who took a lead in controlling City affairs in the last years of Edward III. The organisation of these companies doubtless became more definite during this reign; by 37 Ed. III. c. 5 it is enacted that merchants should only deal in one kind of merchandise, while a similar restriction is imposed on artisans by the following clause. Within the City Brembre appears to have busied himself in enforcing this statute, and in particular to have insisted on severing the artisan from the dealer<sup>5</sup>. In this fashion we find the formation of companies of merchants as distinct from craft gilds; but the excuse for their formation was precisely similar to that which had led to the growth of the earlier bodies; it was assumed that no man had the skill to deal in all manner of goods, and therefore he was to be kept to the one branch of merchandise to which he had been brought up.

The increasing organisation of the merchants dealing in distinct classes of goods would be of itself a proof of their growing power, but there is other evidence as well; by the charter of Edward II. the City franchise was practically limited to the members of the trades and mysteries<sup>6</sup>. In 1376 the craft gilds and merchant companies

<sup>1</sup> Heath, *Grocers*, p. 44.

<sup>2</sup> *Rot. Parl.* ii. 277 (28).

<sup>3</sup> Then an annual office, A.D. 1376. See the Charter in Noorthouck, 791.

<sup>4</sup> *Rot. Parl.* iii. 225.

<sup>5</sup> Herbert, *Livery Companies*, i. 30 note. In 1385 he disenfranchised several persons for following trades to which they had not been brought up. John Lynn and Nicholas Merchant were free of the haberdashers, but dealt as mercers; South-brook, a weaver, and Skinner, a tailor, occupied themselves in the drapery business.

<sup>6</sup> Noorthouck, *History*, 785.

*The  
Grocers'  
and other  
Livery  
Companies.*

—1399.  
A.D. 1368.

A.D. 1377—1399. replaced the wards as the bodies who elected the common council; several lists printed by Herbert<sup>1</sup> show the proportions in which they returned representatives. Under Brembre's administration there was apparently a reaction, however; the election to the common council was for the future to be conducted by wards, and not by misteries; and the mayor was to see that of the whole members returned by the different wards no more than eight should belong to the same company<sup>2</sup>. But though no one company was able to monopolise the government of London to the exclusion of the others, the important offices were practically reserved by a custom, which continued unbroken for centuries, to the members of the twelve great companies whose wealth had secured them the highest status<sup>3</sup>.

*Royal creditors.*

A.D. 1376.

This great increase in the power of the mercantile class was not confined to London, though it may not perhaps be easy to prove that there were similar companies of a purely trading character in provincial towns in the time of Edward III. But there is other indirect evidence that the centres of trade were centres of very considerable wealth. Like other kings Richard II. found it necessary to borrow either in anticipation of revenue or for the sake of some exceptionally large expenditure which he hoped to defray in the course of several years. Edward I. had expelled the Jews. Edward III. had ruined the Bardi, and his transactions with individual Englishmen were recklessly extravagant<sup>4</sup>. Richard II. seems to have borrowed chiefly, though not by any means exclusively, from corporate bodies; on one occasion he pledged his jewels with the City of London, and obtained 9,000*l.*; but all the mercantile and manufacturing centres had to contribute large sums on various occasions. Lists have been preserved of the payments made by different towns in 1382, 1386, and again in 1397. It is not easy to see on what principle the demands were regulated as it did not apparently depend on any accurate

<sup>1</sup> Herbert, *Livery Companies*, pp. 82, 88.

<sup>2</sup> *Liber Albus*, i. 462.

<sup>3</sup> On the early history of the great companies see Aungier's Introduction to the *Croniques de London* (Camden Society), xviii.; also Herbert, *Livery Companies*, p. 87.

<sup>4</sup> See the case of Richard Lyons, *Rot. Parl.* ii. 824 (17).

assessment<sup>1</sup>. But, in default of other information, the list is A.D. 1377 worth quoting, so far as it refers to the towns, as it may give some indication of their relative importance and at any rate shows what were among the most active and flourishing parts of the kingdom<sup>2</sup>. These loans were exacted both from private persons like the great landowners and from towns as well; an analysis of the list of 1397<sup>3</sup> shows that of the 193 contributors 78 were ecclesiastics who gave sums

<sup>1</sup> Thus Gloucester which paid twice as much as Cambridge in 1397, paid a smaller sum, £54 as against £60, in 1386: default to meet the demand called for a renewed requisition of a proportional payment from every citizen worth £20 in Boston. *Rymer, Fœdera*, vii. 544.

<sup>2</sup> No mention occurs of several important places in this list, e.g. Newcastle and Coventry, the latter of which had contributed £920 in 1386.

	£ s. d.		£ s. d.
London . . . . .	6666 18 4	Blakeney and Cley . . . . .	40 0 0
Bristol . . . . .	800 0 0	Dover . . . . .	40 0 0
Norwich . . . . .	888 6 8	Ely . . . . .	40 0 0
Boston . . . . .	800 0 0	Grimsby . . . . .	40 0 0
Lynn . . . . .	266 18 4	Huntingdon . . . . .	40 0 0
York . . . . .	200 0 0	Hadleigh . . . . .	40 0 0
Gloucester . . . . .	200 0 0	Hornastle . . . . .	40 0 0
Salisbury . . . . .	200 0 0	Ipswich . . . . .	40 0 0
Lincoln . . . . .	188 6 8	Louth . . . . .	40 0 0
Southampton . . . . .	118 6 8	Maldon . . . . .	40 0 0
Bury . . . . .	106 18 4	Sall and Reepham . . . . .	40 0 0
Cambridge . . . . .	100 0 0	Lymington . . . . .	33 18 4
Colchester . . . . .	100 0 0	Barnstaple . . . . .	26 18 4
Hull . . . . .	100 0 0	Barton on Humber . . . . .	26 18 4
Hereford . . . . .	100 0 0	Cromer . . . . .	26 18 4
Shrewsbury . . . . .	100 0 0	Ludlow . . . . .	26 18 4
Winchester . . . . .	100 0 0	Pontefract . . . . .	26 18 4
Oxford . . . . .	80 0 0	Sudbury . . . . .	26 18 4
Abingdon . . . . .	66 18 4	Thetford . . . . .	26 18 4
Canterbury . . . . .	66 18 4	Bath . . . . .	20 0 0
Chichester . . . . .	66 18 4	Cawston . . . . .	20 0 0
Grantham and Harlaxton . . . . .	66 18 4	Derby . . . . .	20 0 0
Leicester . . . . .	66 18 4	Lavenham . . . . .	20 0 0
Northampton . . . . .	66 18 4	Whitby . . . . .	20 0 0
Nottingham . . . . .	66 18 4	Plymouth . . . . .	20 0 0
Sandwich . . . . .	66 18 4	Lichfield . . . . .	20 0 0
Stamford . . . . .	66 18 4	Beccles . . . . .	18 6 8
Scarborough . . . . .	66 18 4	Bildeston . . . . .	18 6 8
Worcester . . . . .	66 18 4	Bodmin . . . . .	18 6 8
Yarmouth . . . . .	66 18 4	Burton on Trent . . . . .	18 6 8
Cirencester . . . . .	60 0 0	Lostwithiel . . . . .	18 6 8
Wells . . . . .	58 6 8	Harwich . . . . .	10 0 0
Beverley . . . . .	45 0 0	Brantree . . . . .	6 18 4
Bedford . . . . .	40 0 0	Liskeard . . . . .	6 18 4

A.D. 1377 varying from £1000 to £13. 6s. 8d., 45 were gentlemen who gave sums varying from £400 to £3. 6s. 8d., and the remaining 70 were from towns<sup>1</sup>. When the towns were able to contribute in this fashion we may see that there was already a class of moneyed men, not only in London, but in provincial towns as well, who were able to bear a large share of the burdens which had hitherto been defrayed by the landed interest only, whether ecclesiastical or lay. To lie out of their money on the king's behalf<sup>2</sup> was probably much more of a grievance to the merchants than to the landowners.

*Shares in assessment.* Even more distinct evidence as to the position of merchants may be gathered from the rate at which they were assessed for the poll tax of 1379. The tax of 1377 had been levied at the rate of 4d. per head<sup>3</sup>, and the returns of the amounts collected give invaluable information as to the population at that date—quarter of a century after the Black Death<sup>4</sup>. But the poll tax of 1379 was graduated. The amounts levied on the trading classes are as large as those taken from the nobility, if the Dukes of Lancaster and Bretagne and the Archbishop of Canterbury, who were each to contribute £6. 13s. 4d., are left out of account. The Lord Mayor of London was to pay £4 like an Earl, Bishop or Mitred Abbot; the London Aldermen and the Mayors of larger towns £2 each, like barons or abbeys with a rental of £200 a year. The mayors and jurators of other towns and the great merchants were to give £1 each, like knights or abbeys with a rental of over £60. The substantial merchants and mayors of small towns were to pay 13s. 4d., 10s. or 6s. 8d. according to their estate, like the landed esquires and lesser abbeys; and smaller merchants and artificers were to give 6s. 8d., 3s. 4d., 2s., 1s., or 6d. All seems to show that

<sup>1</sup> Macpherson, I. 608.

<sup>2</sup> The lists from which these facts are taken are in the form of letters to the treasurer to offer security for the repayment of the loans to the various parties who had accommodated the king. Rymer, *Fœdera* (original), VII. 341, 543. The loan of 1397 was on the king's personal security. Rymer, VIII. 9.

<sup>3</sup> *Rot. Parl.* II. 364 (19).

<sup>4</sup> The counties of Durham and Chester are not included, but the return gives for the rest of England 1,376,442 lay persons above fourteen years of age. The total population, clerical and lay, including these counties is usually estimated at 2,500,000. Topham, in *Archæologia*, VII. 837.

the trading classes had come to form a very important section A.D. 1877  
of the community for fiscal purposes<sup>1</sup>.

116. These lists give an interesting survey of English *The standard of living in the XVth century and in the present day.* society, and of the wealth of different classes at the end of the fourteenth century; it is impossible to glance through them without having questions raised in regard to the material well-being of the ordinary Englishman then, as compared with that of a man in a similar social position in the present day. No attempt will be made here to answer such questions at all precisely, but some suggestions may be thrown out which will serve to show the difficulty of solving the problem and instituting any accurate comparison.

In the fifteenth century the mercantile classes had a position of dignity and importance in all English towns, and the house and style which was maintained by a merchant *A merchant prince.* prince who could entertain royalty show us the height of material comfort which was attainable by rich men at the time. The visit of Edward IV. to Bristol was the occasion A.D. 1461. of magnificent pageants in the town, and he was the guest of William Canynges in a house of which fragments still remain<sup>2</sup>. It had been built as a suburban residence about the end of the fourteenth century, and had all the newest improvements; the ground floor was no longer of bare earth but covered with tiles, and the overhanging bay windows of the first floor were completely glazed, probably with richly stained glass. The amount of plate which a merchant *Magnificence and* could then display was of great value, as he invested an extraordinary proportion of his wealth in this form; and the hangings on the wainscot, and the glass would not improbably be better than any that could now be procured. But despite all this magnificence there was a singular lack of *lack of comfort.* comfort even in the house of a merchant prince<sup>3</sup>. "Few houses, even those of the gentry, could boast of more than two beds for the accommodation of the inmates, and any possessing three or four were considered to be furnished with

<sup>1</sup> *Rot. Parl.* iii. 57 (18). For the clerical payments see Wilkins, *Concilia*, ii. 141.

<sup>2</sup> Pryce, *The Canynges Family* (1854), 125.

<sup>3</sup> *Ibid.* 119.

A.D. 1377 —1399. this article of domestic comfort after a very extraordinary if not extravagant fashion." The sleeping accommodation in the attics of Canynges' house was small and uncomfortable; the principal apartment would have tables on tressels, benches, and window seats, with but little other furniture, and the floors would have mats of plaited straw.

*Homes of the poor.* This picture of the home of a merchant prince is at least suggestive of the conditions under which men lived who were so poor that they could afford little or nothing for display; if there was so little comfort in the sumptuous abode of the great magnate of Bristol, the homes of the poor must have been most miserable according to nineteenth century notions.

*Change in ordinary requirements.* It may be that our life would seem dull and colourless to the fifteenth century burgess; the whole conditions of society have so altered, and the requirements of an ordinary Englishman are so different, that we can hardly get any sound basis for comparing the standard of comfort then and now, and we are forced to fall back on a merely physical test. We may

*The support and prolongation of human life.* ask how far the social conditions were favourable for the maintenance and prolongation of human life, and whether they were more or less favourable in the fifteenth century than they are now?

*Famines* Unless the statements of the chroniclers are grossly exaggerated, England suffered severely during the fifteenth century from two scourges which are now entirely unknown —famine and pestilence. The population was dependent on the seasons for the food supply, and though this might be plentiful in good years, there was often a general scarcity which was intensified in particular districts into a local famine. At such times men were driven to use acorns and roots for food<sup>1</sup>, and had recourse to the flesh of dogs and horses: some cases of cannibalism are reported<sup>2</sup>. It was only

<sup>1</sup> Holinshed, 1489.

<sup>2</sup> In 1814 "notwithstanding the statutes of the last Parliament, the Kings Writtes &c., all things were sold dearer than before, no fleshe could be had, Capons and Geese could not be found, Eggs were hard to come by, Sheepe died of the rot, Swine were out of the way; a quarter of wheat, beanies and pease were sold for 20 shillings, a quarter of Malte for a marke, a quarter of Salt for 35 shillings." In the next year "Horse flesh was counted great delicates; the poore stole fatte Dogges to eate: some (as it was saide) compelled through famine, in hidde places, did eate the flesh of their owne Children, and some

rarely that starving people were reduced to such extremities, A.D. 1377 but there is some reason to believe that they habitually used diseased and unwholesome food, and that they were thus rendered a ready prey to the ravages of pestilence. The Black Death was specially terrible, but we read of many <sup>—1399.</sup> and other visitations, the accounts of which are sufficiently appalling. "A century during which more than twenty outbreaks of plague occurred, and have been recorded by the chroniclers, can hardly be regarded by us except as one long unbroken period of pestilence<sup>1</sup>." Besides these occasional outbreaks there was chronic typhoid in the towns, and leprosy all over the country. "The undrained neglected soil; the shallow stagnant waters which lay upon the surface of the ground, the narrow unhealthy homes of all classes of the people; the filthy neglected streets of the towns; the insufficient and unwholesome food; the abundance of stale fish which was eaten; the scanty variety of the vegetables which were consumed;.....predisposed the agricultural and town population alike to typhoidal diseases and left them little chance of recovery when stricken down with pestilence<sup>2</sup>." It is thus that Mr Denton sums up the normal conditions of life in the fifteenth century<sup>3</sup>.

It may however be argued that this picture is too highly coloured, that he has attached too much importance to the exaggerated statements of ill-informed chroniclers, and that the famines were only local, and the pestilences only occasional and due to climatic conditions rather than induced by the habits of life. We may approach the problem from the other side and try to form some estimate as to the means at the command of the ordinary labourer for procuring the necessities of life. He could not of course secure a greater degree of comfort than the merchant prince, but how far could he count on obtaining an adequate share of the supplies that were available? What were the means at his

stole others which they devoured. Theves that were in prisons did plucke in pieces those that were newlie brought amongst them and greedily devoured them half alive." Stowe, *Annals*.

<sup>1</sup> Denton, 106.

<sup>2</sup> Ibid. 103.

<sup>3</sup> Compare also Rogers, *Fort. Rev.* III. 198; Jessopp, *Friars*, 89, who are both speaking of the fourteenth century.

*The means  
at the  
labourer's  
disposal.*

A.D. 1377 —1899. disposal ? for even though food were plentiful and cheap, the labourer might suffer real privation, if he was too poor to purchase corn<sup>1</sup>. The means at his disposal would depend partly on the rates of wages and partly on the constancy of employment.

*Rates of wages.* It is probably true that when the daily labourer was engaged on a long continued piece of work, and could count on constant employment, he fared well ; the statutable wages were not low as compared with rates that had been formerly paid, and Professor Thorold Rogers maintains that the sums actually paid were sometimes in excess of the limits laid down by parliament ; if however we compare the salaries of servants engaged by the year, with the wages of day labourers, it becomes clear that employment was not constant. The bailiff in husbandry, who was a superior servant, was to get yearly 26s. 8d. and 5s. for clothing, besides meat and drink, which may be estimated at two pence per day<sup>2</sup> ; the ordinary artisan was to have three pence or four pence a day and the reaper three pence a day, with meat and drink, so that in twenty-two weeks of continuous work the ordinary artisan would earn as much as the bailiff did in a year. We have no sufficient data to judge of the regularity of the labourer's employment in ordinary circumstances ; but if we take the yearly salaries, we may at least avoid this element of uncertainty. The 'common servant in husbandry' was paid 20s. 8d., and his wife 14s. besides their food, according to the highest statutable rate in the fifteenth century<sup>3</sup>, so that their united earnings would provide a little more than half the usual allowance for an adult's food, and out of this sum they had to feed their family, pay for fuel, rent, and clothing. Even if they could eke out a living from the common waste it seems most unlikely that they had a larger free income than the agricultural labourer of the present day ; we could not institute

<sup>1</sup> During a recent famine in India, when the export of rice from Bengal continued, it was said that there was sufficient food if the people could have had it conveyed to them and purchased it, and that they suffered from poverty rather than scarcity.

<sup>2</sup> Both from the figures in the statutes and from the rate at which Lord Howard agreed in 1511 to cater for his crews. Rymer, *Fœdera*, xxx. 826.

<sup>3</sup> 11 H. VII. c. 22 ; much lower payments occur in a compotus roll of 1380. *Archæologia*, xviii.

an accurate comparison unless we knew not only the prices A.D. 1377 of the articles they used, but also the quality of the goods they were able to procure. It is not easy to obtain such information in the present day, and we cannot hope to get sufficient data for judging certainly about the distant past.

On another side however the question seems simpler, as *Holidays and* to the amount of free time at the labourer's disposal. The holidays were frequent, those who were paid yearly salaries would have the advantage of them, and they were carefully taken into account in reckoning the payments that were due for *opera vendita*<sup>1</sup>; but the day labourer would only find that they reduced his opportunities of finding employment and therefore of earning. His free time must be reckoned, not by the periods of enforced idleness, but by the leisure he could count on when fully employed. In so far as regularity of employment and short hours are a test of the well-being of the workman, the fifteenth century day labourer was badly off; his summer hours lasted from five in the morning *hours of labour.* till half-past seven at night, with breaks which amounted to two hours or two hours and a half<sup>2</sup> in all.

On the whole it appears that, even if we altogether forego *Improved condition of the modern artisan.* the attempt to measure how much one or the other was better off, the balance of advantage lies with the modern artisan. In all probability his employment is less irregular, and his hours are shorter; he enjoys practical immunity from famine and pestilence, and he is far less exposed to attack from 'enemies,' or to violence from unruly retinues<sup>3</sup>. The French Wars and the Wars of the Roses led to a terrible amount of disturbance and crime, and we may be certain that whatever disasters occurred,—whether pillage or

<sup>1</sup> *Compotus Roll of Wilsford in Hampshire, 1447.* British Museum, Additional Charters, 27,679.

<sup>2</sup> The long hours of which *Ælfric's ploughman complained*—who had to plough an acre or more in the day—would not greatly differ from those insisted on in the *Act of 1495*.

<sup>3</sup> This was no new evil, for it was a grievance in the time of Edward I., both in rural districts (Song on the Retinues of Great People in *Wright's Political Songs*, Camden Society, 237) and in towns. Licence was required by the Bishop of Durham while attending parliament before he could venture to quarter his retainers at Stratford at Bow (*Rymer, Fœdera*, iv. 148). From the time of Richard II. (18 R. II. st. III.) there was frequent legislation against the practice till the reign of Henry VII. under whom it was practically suppressed.

A.D. 1377 — 1399. famine or pestilence,—the poor were least able to resist its effects and suffered most from it. Taking one consideration with another we may feel that the lot of the labourer did not render his life a good one from an insurance point of view.

*Misery and discontent.* It might indeed have been supposed that these evils were so far common to all classes of society, that the labourer might be satisfied with his condition, since he could not hope for any great improvement. The distinction between rich and poor was marked by all the externals of rank, but it was not such a wide gulf as separates the East and West of London in the present day. But though all classes were so much more nearly on a level, so far as the material conditions of well-being were concerned, there is ample evidence that the labourer was not so comfortable as to be contented with his lot; the records of frequent riots and constant crime show only too clearly that the masses of the population were not only poor but also miserable, and thus their political importance came out chiefly in antagonism to the existing order. When we try to trace the course of affairs we must turn and fix our attention on the class in the community who had attained such an important position that they were able to exercise a decided influence in guiding public policy.

*Political influence of merchants.* 117. A body of men, who contributed to the royal necessities as largely as the citizens of London did, had really a direct means of putting pressure on the king; the towns from which the king borrowed had a more immediate means of making their wishes felt than through the agency of petitions in parliament, where the landed interest would not

*Mercantile policy.* always support them. This is probably the reason why the scheme of policy they approved was secured to them by charters, at a time when the statutes were framed on entirely different lines; but before the end of the reign of Richard II. statutory force was given to some of the principles of trade-management for which the London merchants had been steadily contending.

*Restrictions on aliens.* i. The chief point for which they pressed was a limitation of the freedom of aliens, especially their freedom to compete with Englishmen in internal trade, and to sell by retail.

The deeply rooted objection to the upland man which shows A.D. 1377 itself in the earliest municipal laws, appears here in a later form; men who bore the burdens of the town had a right to the gains which came from its trade. The men of London put their case very strongly in 1372, when they urged that they could not meet the royal demands if their ancient charters were infringed by the privileges newly granted to aliens<sup>1</sup>. They took a very early opportunity of bringing their grievances before Richard II., who reaffirmed their ancient privileges, but in doing so he made a further exception in favour of his subjects in Aquitaine<sup>2</sup>. Even this indulgence appears to be withdrawn in the statute of 1378, which forbids the aliens to sell wine or other imported merchandise by retail in London or other towns, though it gave them considerable freedom at fairs for selling by retail and selling to one another<sup>3</sup>. Subsequently the privileges of aliens were affirmed by statute<sup>4</sup>, and the charters of boroughs set aside in their favour<sup>5</sup>; but in the end the citizens were too strong for them, and carried a measure after their own heart<sup>6</sup>, for it prohibited aliens from selling to one another and from selling by retail. "Forasmuch as it seemeth to our lord the King that the said statutes<sup>7</sup> if they shall be fully holden and executed shall extend to the great hindrance and damage as well of the city of London as of other cities, boroughs and towns of the realm; It is ordained and assented, That no merchant stranger alien shall sell, nor buy nor merchandise within the realm with another strange merchant alien, to sell again; nor that no strange merchant alien shall sell to retail within the said realm, nor shall put to sale any manner of wares or merchandises, except livings and victuals, and also that aliens shall sell wines by whole vessels, and spicery by whole vessels and bales, and in no other manner; and that no manner of spicery, after that it be brought within the realm, shall be carried out of the same realm by alien or denizen upon pain of forfeiture of the same."

<sup>1</sup> *Rot. Parl.* II. 814 (46).

<sup>2</sup> *Ibid.* III. 27 (127).

<sup>3</sup> 2 *Ric.* II. st. 1. c. 1.

<sup>4</sup> 5 *Ric.* II. st. II. c. 1; 14 *Ric.* II. c. 9.

<sup>5</sup> 11 *Ric.* II. c. 7.

<sup>6</sup> 16 *Ric.* II. c. 1.

<sup>7</sup> 9 *Ed.* III. st. 1. c. 1; 25 *Ed.* III. st. III. c. 2; 11 *R. II.* c. 7.

**A.D. 1377  
—1399.  
Internal  
and retail  
trade.** It may be said that this measure marks a stage in this long struggle with foreigners; contests with foreign merchants in the fifteenth century have a different character, for Englishmen were beginning to compete with them in that foreign trade and carrying trade in which they were eventually to succeed so well. What they had accomplished so far was that they secured the retail trade and the internal trade of England for Englishmen.

**English  
shipping.** ii. They were not satisfied with the victory however, for they were anxious to obtain a firm footing in foreign trade as well, and demanded that encouragement should be given to English shipping. The whole policy of Edward III. had told against the English shipper, though the statutes which gave commerce over to foreigners were not strictly enforced: for Englishmen continued to frequent the marts at Bruges<sup>1</sup>, and obtained indemnity for the severe penalties to which they had rendered themselves liable<sup>2</sup>. The commercial restrictions, though they hampered, did not entirely destroy English shipping; but there were other causes which led to its decline. The owners and crews of ships requisitioned for war were put to great expense and inconvenience<sup>3</sup>, and they suffered by the enforcement of forfeiture<sup>4</sup> for trivial breaches of custom regulations; and the decrease of the navy appeared to be a public danger<sup>5</sup>. This feeling found expression in the first Navigation Act<sup>6</sup> which is of a

**A.D. 1372.** very sweeping character. “To increase the navy of England which is now greatly diminished, it is assented and accorded, that none of the king’s liege people do from henceforth ship any merchandise in going out or coming within the realm of England, in any port, but only in ships of the king’s liegance,” under penalty of forfeiture of goods shipped in other vessels, the third part of which were to go to the informer. Apparently however the navy was so far diminished

**A.D. 1381.** that the statute could not be enforced; and an explanatory clause was added in the following year to the effect

<sup>1</sup> *Rot. Stapul.* See Appendix C.

<sup>2</sup> *Rot. Parl.* II. 314 (47).

<sup>3</sup> *Rot. Parl.* II. 311 (20).

<sup>4</sup> *Ibid.* III. 94 (88); 88 Ed. III. 1. c. 8.

<sup>5</sup> *Ibid.* II. 314 (46).

<sup>6</sup> 5 R. II. st. 1. c. 8.

that English ships when "able and sufficient" should be <sup>A.D. 1377</sup> preferred "before all other ships<sup>1</sup>." A further condition was annexed<sup>2</sup> some years later, from which it appears that <sup>A.D. 1390</sup> the shipowners had taken advantage of their monopoly to charge exorbitant rates, instead of being satisfied with "reasonable gains."

iii. There was a third point in the great statement of <sup>Money and bullion.</sup> the grievance of the towns which was made in the Good Par-<sup>A.D. 1376.</sup> liament; it was mentioned in connexion with the encouragement of aliens and the decay of shipping. Men said that the land was without money<sup>3</sup>, and this last point received consideration from the parliaments of Richard II. "For the <sup>A.D. 1381.</sup> great mischief which the realm suffereth, and long hath done, for that gold and silver as well in money, vessel, plate and jewels as otherwise by exchanges made in diverse manners is carried out of the realm, so that in effect there is none thereof left, which thing if it should longer be suffered would shortly be for the destruction of the same realm, which God prohibit<sup>4</sup>," it was ordered that no one should export gold or silver, except for the wages of Calais and other fortresses beyond the sea. Necessary payments were to be made with royal licence, and through the agency of good and sufficient merchants, who were to be sworn not to send any gold or silver beyond the sea under colour of the said exchange; the debt was to be liquidated in the last resort by the export of goods, not of bullion. By a later <sup>A.D. 1390.</sup> statute this was explicitly ordained with respect to payments made to Rome; it is possible that a decline of the Florentine exports of wool rendered intervention of this kind more necessary than before<sup>5</sup>. An interesting commentary on the whole is found in the record of the information on which it appears that the statute was based<sup>6</sup>. The Warden and other officers of the Mint were summoned to give evidence as to the reasons of the scarcity of coinage. The large sums paid to Rome, and the export of money in the course of

<sup>1</sup> 6 R. II. st. 1. c. 8.

<sup>2</sup> 14 R. II. c. 6.

<sup>3</sup> Rot. Parl. II. 882 (59).

<sup>4</sup> 5 R. II. st. 1. c. 2.

<sup>5</sup> See p. 889, below. Compare also 14 R. II. c. 2.

<sup>6</sup> Rot. Parl. III. 126, 1 and 2.

A.D. 1377 —1399. exchange were the chief points they spoke of; some laid greater stress than others on prohibition of the export of bullion, but one of the officers, Richard Aylesbury, stated his opinion in terms which appear to anticipate the doctrine of the balance of trade. Since neither gold nor silver is to be had in England unless it is imported from abroad, he considered that if the merchandise which goes out of England were well and justly governed, the money that is in England would remain, and great plenty of money would come from abroad; the value of imports should never exceed the value of exports. Parliament went so far as to insist that half the value of the imports of aliens should be expended on English exports<sup>1</sup>.

A.D. 1385. Edward III. had also legislated with reference to the currency and in terms that are somewhat similar to those quoted above<sup>2</sup>, but none the less may this enquiry, and the statute which resulted from it, be taken as marking an important point of departure. The reference to the "destruction of the realm" suggests at any rate the importance of accumulating treasure for political purposes, and not merely as a circulating medium; of this there is no hint in Edward's statute. Besides this, the attempt to regulate the expenditure of merchants was a distinct addition to his regulations. The permission Edward made in favour of fishermen coming in small ships with fish, and who might be paid in gold and silver since they did not "meddle in other merchandise"<sup>3</sup>, shows that the rule at which he aimed was an exchange of goods for goods; but there is no evidence that he attached so much importance to it, or saw its bearing in the same light as the parliaments of Richard II.

*Peasant revolt caused by*

<sup>1</sup> 14 R. II. c. 1. Parliament adopted a bullionist expedient, while Richard Aylesbury appears to have been a mercantilist,—to adopt terms which were in vogue in the seventeenth century.

<sup>2</sup> 9 Ed. III. st. ii. c. 1.

<sup>3</sup> 38 Ed. st. 1. c. 2. The mercantilists of the Stuart time would have condemned, with all the force of language they could command, a proposal to leave fishing—the school of seamanship—in the hand of foreigners and to pay them in bullion for doing it.

hardly suppose that they would exert themselves to the same <sup>A.D. 1377</sup> extent in connexion with the disorder in rural districts. <sup>—1399.</sup> London indeed received a severe shock at the time when Wat Tyler entered with his great following of Kentish men, <sup>A.D. 1381</sup> while the peasantry of Essex poured in from the other side: but even if the citizens appreciated the gravity of the situation, they had no practical knowledge which would help them to apply a proper remedy. The anarchy on the manorial estates, of which the peasants' revolt was a symptom, was the result of many years of difficulty and pressure. In order to see the precise nature of the problems with which Richard's parliament had to deal in the rural districts, it is necessary to go back and consider the changes which had taken place in consequence of the Black Death. The statutes of labourers had been intended to meet the temporary emergency; but even if they had been everywhere enforced, many landowners would have been left in a position of great difficulty; if there was no one to do the work it did not much matter what they were to be paid, and in not a few villages scarcely any one was left to carry on the ordinary agricultural operations. On such manors many of the holdings would <sup>rural difficulties.</sup> revert to the lord, and he would not get the quit rents to which he had been accustomed; he had not the same means of paying labour, even if labour had been available; there was plenty of land, and despite some murrain, a considerable amount of stock, but there was no one to work it on the old terms either at a quit rent, or for wages. Ruin stared the <sup>A.D. 1363.</sup> landowners in the face and new expedients had to be devised<sup>1</sup>.

The most general of these appears to have been the stock *Leases*. and land lease; this is described by Prof. Thorold Rogers as

<sup>1</sup> Come par les Pestilences et grantz ventz sont diverses meschies et merveillouses avenuz, diverses Manoirs, Terres et Tenements de notre Seignour le Roi, tenuz en chief, auxi bien come autres, sont touz desolatz, gastez et amientez: si bien les Homages et Bondages come les chiefs Manoirs et tieux Tenantz de Bondage come feurant devant ne poent ore estre trovez. Et pur les dites Meschies eschuire, et pur avoir aucun profit des dites Terres et Wastes, les Seignours des dites ruinouses places les lessent, toute ou partie, a terme de vie pur les enhabiter, q'est survys et accomptez Alienation sanz congé du Roi; lesqueux Lessez ne poent estre Alienations la ou nostre Seignour le Roi ad Tenantz en droit. *Rot. Parl.* II. 279 (88).

A.D. 1377 of common occurrence during the last half of the fourteenth  
 —1399. <sup>H</sup> century<sup>1</sup>; the new tenant took the land and the stock off the lord's hands and made in return a definite annual payment. Gradually, and possibly by mere lapse of time as the stock died off, it was replaced by the tenant, not the lord; and we thus have the beginning of the ordinary system of English tenant farming, in which the capital is supplied by the tenant, who pays a definite rent to the landlord for farm and buildings. The yeoman farmers, or tenant farmers, as we may call them, probably sprang from the class of free labourers, as the surviving villans who already had their own holdings, would not be so easily able to offer for a portion of the domain land which the lord desired to let.

*The grievances of villans.* It thus appears that the villans had felt but little change in their position from the immediate consequences of the Black Death; they still had land to work; some of those who were at a quit rent may have eked out their living by hiring themselves out as labourers, and they would share in the gain which accrued from the rise of wages, but many of them were prevented from doing so. We have already seen that the condition of the villans was exceedingly various, and that they had not all commuted their services in the same way<sup>2</sup>. Some were entirely quit, some did actual service, some paid in money or service at the discretion of the lord; after the Black Death it was to the interest of the lord, in all cases where he possibly could, to obtain actual service from the villans. The strict exaction of the old services<sup>3</sup>, which were now so much more valuable, would in itself be felt as a grievance even by villans who still were accustomed to render actual service, and there were many such<sup>4</sup>. In the district round Ely it was a common thing in the fourteenth century

<sup>1</sup> *Agriculture and Prices*, i. 24.

<sup>2</sup> See above, p. 219.

<sup>3</sup> The Winslow Court Rolls furnish some illustrations of the difficulties which arose in connexion with the demand for services: in one case (45 Ed. III.) the difficulty was about certain precaries or occasional services which were still in dispute, although most of the services in that manor had been commuted for money payments; in another about the service of gathering nuts (25 Ed. III.).

<sup>4</sup> Professor Thorold Rogers very greatly antedates the time when services were commuted. *Six Centuries*, i. 44, 258. He asserts that in 1881 "no memory went back to the older custom," *Economic Interpretation*, 29.

to commute a larger or smaller number of services each year <sup>A.D. 1377</sup> ~~—1399.~~ as *opera vendita*; but no definite custom had grown up at the time of the peasants' revolt, and in that year the Wilburton villans fulfilled their ordinary obligations, partly by payment and partly by actual work<sup>1</sup>. The storm which was raging all around seems to have made no difference in the routine of life in this village. There might be a more bitter sense of wrong in the case of those who, by a custom of longer or shorter duration, paid a small money commutation for the whole or for any part of the actual services which they were bound to render, if an attempt was made to go back from this custom. The difficulties of the manorial lords would be partially renewed with every subsequent visitation of the plague<sup>2</sup>, and the pressure upon the villans to render actual service would become more severe<sup>3</sup>, until it at last resulted in the general outbreak of the peasants in 1381.

<sup>1</sup> Professor Maitland, who has examined the accounts and records of this and some neighbouring manors, has pointed out to me that the actual services were exacted all through the fifteenth century.

<sup>2</sup> Denton, 100.

<sup>3</sup> 1 R. II. c. 6. Item, at the grievous complaint of the Lords and Commons of the Realm, as well Men of Holy Church as other, made in the Parliament, of that that in many Signories and parts of the Realm of England, the Villaines and Landtenants in Villenage, who owe Services and Customs to their said Lords, have now late withdrawn, and do daily withdraw their Services and Customs due to their said Lords, by Comfort and Procurement of other their Counsellors, Maintainers, and Abettors in the Country, which hath taken Hire and Profit of the said Villaines and Landtenants, by Colour of certain Exemplifications made out of the Book of Domesday of the Manors and Towns where they have been dwelling, and by virtue of the same Exemplifications, and their evil Interpretations of the same, they affirm them to be quite and utterly discharged of all Manner Servage, due as well of their Body as of their said Tenures, and will not suffer any Distress or other Justice to be made upon them; but do menace the Ministers of their Lords of Life and Member, and, which more is, gather themselves together in great Routs, and agree by such Confederacy, that every one shall aid other to resist their Lords with strong Hand; and much other Harm they do in sundry Manner, to the great Damage of their said Lords, and evil Example to other to begin such Riots: so that if due Remedy be not the rather provided upon the same Rebels, greater mischief, which God prohibit, may thereof spring through the Realm. . . . .

And as to the said Exemplifications made and purchased as afore is said, which were caused to come in the Parliament, and to be declared in the same Parliament, that the same may not nor ought to avail or hold place to the said Villaines or Landtenants, as to the Franchise of their Bodies; nor to change the condition of their Tenure and Customs of old Time due; nor to do Prejudice to the said Lords, to have their Services and Customs as they were wont of old Time; and it is

**A.D. 1377** Political feeling entered into the matter, and the solidarity of the movement in different parts of the country may have been due to a wide-spread organisation which was able to take advantage of local discontents. The finances of the realm seemed to be in hopeless disorder; the yield of the last parliamentary grant had been small and had come in slowly, the Crown jewels were in pawn and the English garrisons in France had arrears of pay due to them<sup>1</sup> for more than a year. Parliament therefore voted a poll tax, as a means of raising a large sum immediately. Everyone over the age of fifteen years was to pay; but this was to be assessed as a graduated tax on the value of every man's goods, though no one was to pay more than sixty groats and no one less than half a groat<sup>2</sup>. The form of the levy, which involved an inquisitorial investigation into every person's property by officers who did not always execute their difficult duty with delicacy, was enough in itself to render it unpopular, and this was the occasion which brought the separate and local discontents into a single focus. The teaching of Wyclif, or at least of his followers, did something to stimulate these communistic murmurs<sup>3</sup>; and the glorification of a life of poverty, which was the keynote of the teaching of the friars, gave religious support from a very different side to the outcry against the rich.

*Political discontent.*

*Poll tax.*  
*A.D. 1380.*

We cannot assign one cause only; generally spoken of as

ordained, that upon this Declaration the said Lords shall have Letters Patent under the Great Seal, as many and such as they shall need, if they the same require.

<sup>1</sup> Dowell, *History of Taxation*, I. 97.

<sup>2</sup> Rot. Parl. III. 90 (18). The grant contains a phrase, to which Dowell refers (*History of Taxation*, I. 99), as showing that the tax was modelled on a French impost: *per issint qe les fortes feussent constraintz daider les feobles*. But the tax granted by the assembly at Paris in 1369 was a hearth tax, not a poll tax, and the phrase 'le fort portant le faible' in their grant refers to the fact that fortified towns were taxed four francs, and unfortified towns or places in the open country only 1½. Clamageran, *Histoire de l'impôt*, I. 891. It seems to be a common mediæval phrase for 'equality of taxation'; the different application in France and England gives some instructive light on the respective condition of the two countries; in England unfortified places were not so insecure that they had to have special rates when taxes were levied.

<sup>3</sup> In 2 H. V. I. c. 7 the Lollards are represented as nihilists who intended to destroy the king, the estates of the realm, all manner of policy and the laws of the land as well as of the Christian faith.

the villans' revolt, the rising met with active sympathy from other classes as well. Our most complete accounts of it come from S. Albans; and the copies of charters and manumissions *S. Albans*, which the villans drew up and forced the monks to sign, supply most instructive evidence as to their real aims. The story of their proceedings gives us the idea of an organised rising where the leaders had tolerably well-defined objects and succeeded in restraining their followers from wild acts of cruelty such as stained the peasants' risings in France and Germany. They aimed at securing a legal status by the violent means of destroying legal evidence; the proposals which Shakspere puts in the mouth of Jack Cade are more appropriate to the rising under Tyler and Ball. Whatever the precise causes and occasions may have been, all the indignation was directed against the great landowners, whether clerical or lay; the obligation to use the lord's mill<sup>1</sup> was a cause of special dissatisfaction, and so were the tolls which tenants had to pay at the lord's market. Since the bailiffs demanded the services required in the manorial extents, the agitators tried to burn the muniment rooms<sup>2</sup>, and thus to erase all evidence of their servitude;

<sup>1</sup> The villans on breaking into S. Albans abbey at once took possession of the hand-mills which the abbots had confiscated. *Gesta Abbatum S. Albani*, III. pp. 309, 329, 346. This popular feeling gave additional point to the address of Jakke Mylner, where the state is compared to a windmill. *Knyghton*, 1381. Compare also Sir Walter Scott's description of the Miller of Melrose and his anxieties, in the *Monastery*, c. 18. In 1787 there was much dissatisfaction at Manchester because the millers of Manchester insisted that all the inhabitants should grind at their mills "tho' they were not able to serve half the town." See the epigram in the *Gentleman's Magazine*, 1787 (vii. p. 307).

But the particular grievances that seemed most oppressive differed in different places: at Cambridge the townsmen rose against the University, and first attacked Corpus Christi College, "because that college was endowed with many candle rents, so that a sixth part of the town is said at that time to belong thereto." Fuller, *Hist. Univ. Camb.* p. 58.

The *Jacquerie* was so purely destructive that it is hardly possible to compare it directly with the English revolt; though both were revolts of villans paying services, both aroused against baronial and knightly oppression, at times when the Monarchy was weak. There is however a very close analogy between the English revolt and that of the German peasants, especially in the desire of both for a political absolutism. See Roscher, *Geschichte der Nat. Oek.* p. 79: and compare the assertions of the English peasants that they were loyal to the king: they certainly did accept his leading. The Russian empire is probably a nearer approximation to their ideal than exists elsewhere in the world.

<sup>2</sup> Walsingham, *Hist. Angl.* I. p. 455. The revolt has thus a family likeness

A.D. 1377 — 1399. while they also strengthened their position by extorting charters of manumission. The endowed clergy whether monastic or secular were often engaged in disputes with the friars and the followers of Wyclif, and both classes furnished recruits who were delighted to join in this attack on their wealthy rivals. So far as they had a positive political programme, it was the establishment of a free peasant proprietary, to be governed by the king as absolute monarch without the intervention of the nobles and knights whom they looked on as their oppressors.

*Failure of the revolt.* It has been generally, but too hastily, assumed that the villans were practically successful, and that despite the repressive statutes, and the forcible retraction<sup>1</sup> of the manumissions<sup>2</sup>, the peasants really gained their ends. If the revolution had really been successful on its social side, it is hard to see why it was so inoperative politically. Absolutely conclusive evidence is furnished for particular manors on the back of some fifteenth century rolls where the actual services rendered are noted; and these can scarcely be regarded as exceptional, since there is incidental evidence of the very general continuance of serfdom long after the time of the revolt. The efforts of the villans to shake off their disabilities by inducing the lords to answer their pleadings in the king's courts, would hardly have demanded special legislation in 1385 if they had practically succeeded in attaining their ends<sup>3</sup>. Servitude of a practical character survived the revolt; the tone of Walsingham's writing favours this view; Henry VI. legislated about his villans, or bondsmen, in Wales<sup>4</sup>; but much more conclusive evidence of the general retention of serfdom is furnished by Fitzherbert, who, in the third decade of the sixteenth century, laments over the continuance of villanage, as a disgrace to the country<sup>5</sup>.

A.D. 1447. Elizabeth took active measures for the enfranchisement of bondmen on royal estates in 1574, and incidental notices to the great revolution in France. See Maine, *Fortnightly Review*, xxi. N. S. p. 462.

<sup>1</sup> 5 Rich. II. stat. i. c. 6, also c. 8; and 6 Rich. II. stat. i. c. 4.

<sup>2</sup> Rymer, *Fœdera* (Record), rv. 126.

<sup>3</sup> 9 R. II. c. 2.

<sup>4</sup> 25 Henry VI.

<sup>5</sup> *On Surveyinge*.

occur of their disabilities from time to time, but the last <sup>A.D. 1377</sup> ~~1399.~~ argument on the subject was Pigg's case<sup>1</sup> in 1618. Their own rebellion failed, but the slow agricultural revolution which rendered their services less useful to the manorial lords, gradually set the villans free by removing the interest their masters had in retaining a hold upon them.

119. The repression of the actual outbreak was not in any way a solution of the difficulties in which the manorial lords had found themselves; it was possible to force back the villans into nominal serfdom, but it was not easy to see how the agriculture of the country was to be carried on. So far as the lords' estates were not let on stock and land leases, and were left on their hands, the difficulty of working them must have been great. The labour of the villans, disappointed and cheated of their freedom, would hardly be hearty, and the rates of wages must have rendered the attempt to farm by hired labour very unremunerative. The one expedient which seemed to offer a way out of the dilemma was that of laying down the land in pasture; there was in consequence a steady increase of sheep farming in <sup>Sheep</sup> ~~farming~~ England during the fifteenth century<sup>2</sup>, and such a decrease of corn growing as to cause considerable anxiety to politicans; of that we shall hear much more in Tudor times, but it is of

<sup>1</sup> Howell's *State Trials*, xx. 40. Noy, *Reports*, 27.

<sup>2</sup> It was apparently a common jest with foreigners during the time of Henry VI. to associate the decline of our naval power with the increase of sheep farming. Cachinnant de nobis inimici, et dicunt, "Tollite navem de pretiosa moneta vestra, et imprimit oves, recordiam vestram in hoc argentes." Capgrave, *de illistribus Henricis*, p. 135.

Another author wrote some few years before,

Wher ben our shippes, wher ben our swerde become?  
Our enmyes bid for the ship set a sheep.

From the *Libelle of English Polycye*, vv. 36, 37, printed in the *Political Songs* in the Master of the Rolls Series, vol. 1. This most interesting tract should be compared with Sir John Fortescue's *Comodities of England*, written before 1451 but only recently printed. After mentioning the (1) rivers and (2) harbours, which gave all parts of the land the advantage of trade (Ely is mentioned among them), he adds, "The third comodite of this land ys that the grounde thereof is so good and commodyous to the shepe, that beare soo goode woll, and ys soo plentyous thereof that all the merchands of two londs may not by that one merchandyz. The fourth comodite that the comones have with in hem ys wollyn clothe redy made at all tymys to serve the merchaunts of any two kingdomys Chrystenye or hethynnye." 1. p. 551.

A.D. 1377  
—1399.

more immediate importance to notice how a death blow had now been given to the old manorial system. It was not only that it had become difficult to work it, but that another mode of using the land was proving profitable.

on de-  
populated  
estates,and at the  
expense of  
tillage,in Ches-  
terton.Serious  
difficulties  
A.D. 1388

The enclosing of the land for sheep might sometimes take place on estates that had practically been depopulated by the Black Death, and here there could be no social grievance; but in other cases the change had serious social results. If the lord desired to use for pasture as much of the waste as he fairly could, and his own portions of the common arable fields besides, he had no longer any need of the services either forced or paid of his poorer neighbours. There was comparatively little employment to be had in rural districts; besides this, in enclosing the waste the lord might not have sufficient care for the needs of his tenants' cattle, and might leave them so little pasture<sup>1</sup> that it was no longer possible for them to farm their own holdings; thus there was not only a decline in agricultural employment on the domain lands, but the numbers of the copyholders and tenants who were cultivating holdings tended to decline. A very explicit statement of the case was made by the tenants at Chesterton near Cambridge in 1414. "And also they seiden that there was made gret waste in the same Manor of Chesterton of Housing, that is to say of Halles and of Chambers and of other houses of office that were necessary in the same Manor, and none housinge left stondinge thereon, but zif it were a Shepcote or a Berne, or a Swynsty and a few houses byside to putte in bestes<sup>2</sup>." In view of these changes it was most desirable to make some attempt to encourage arable farming.

The difficulties are well described in the first statute of Richard's reign<sup>3</sup> which attempted a remedy. "The servants and labourers will not, nor by a long season would, serve and labour without outrageous and excessive hire, and much more than hath been given to such servants and labourers

<sup>1</sup> One of the manorial troubles was connected with repeated trespass of peasants and their cattle on the lord's pasturage. Court Roll, Stapleford Tawney, 1382. British Museum, Add. Charters, 28792.

<sup>2</sup> *Rot. Parl.* iv. 60 b.

<sup>3</sup> 12 R. II. cc. 8—7.

in any time past, so that for scarcity of the said Servants A.D. 1377 and labourers, the husbands and land tenants may not pay their rents nor unnethes live upon their lands to the great damage and loss as well of their lords as of all the Commons; also the hires of the said servants in husbandry have not been put in certainty before this time." After this preamble it goes on to fix the wages for different labourers, and to ordain penalties on those who gave more than the regulation rates, while it also lays down that artificers, their servants and apprentices, should be "compelled to serve in harvest, to cut, gather and bring in the corn."

It may be remarked that this statute plainly recognises *of lease-holders and others.* the new condition of affairs where tenants were the principal employers of labour; the grievance was felt by them, and only by the manorial lords indirectly as it touched their rents. Subsequent clauses throw considerable light on the social condition of the country; though wages were comparatively high, the lot of a rural labourer was not attractive, and a *Rural disorganisation.* prohibition was introduced against those who had served in agriculture till twelve years of age, being subsequently apprenticed to a trade in the town; this might prevent the supply of agricultural labour from being still further diminished. We also find some indication of a sense of the importance of maintaining the rural population, not only for agricultural but for military reasons; the servants and labourers were to have "bows and arrows and use the same on Sundays and Holy days, and leave all playing at tennis or football, and other games called coits, dice, casting of the stone, kailes (i.e. skittles), and other such importune games." The prohibition of swords and daggers to the labourer and artificer, "but in time of war for defence of the realm of England," was no unnecessary precaution when there were so many disorderly but able-bodied tramps, and when there were large retinues of liveried ruffians ready to maintain a quarrel<sup>1</sup>. Bands of discharged soldiers lurked in the woods and made travelling unsafe<sup>2</sup>, and the "assemblies,

<sup>1</sup> 1 R. II. c. 7.

<sup>2</sup> Denton, *Fifteenth Century*, 186.

A.D. 1377      conferences and conspiracies" of labouring folk seemed to be  
 —1399.      fraught with danger<sup>1</sup>, and were prohibited in the first Game  
 Game  
 Law.  
 A.D. 1390.      Law.  
 Protective  
 legislation.  
 A.D. 1361.      There are two other points, which are worth noticing; in  
 Corn  
 Laws.      subsequent statutes Edward III had prohibited the export-  
 ation of corn to any foreign port but Calais and to Gascony<sup>2</sup>;  
 if the production was diminished, it was desirable to secure  
 the whole harvest for the use of English subjects, but under  
 A.D. 1394.      Richard II. parliament entered upon another policy. If the  
 prosperity of agriculture was to be assured it was necessary  
 that the farmer should have a good market for the corn, and  
 so at the request of the Commons the king "granted licence  
 to all his liege people of the realm of England to ship and  
 carry corn out of the said realm to what parts that please  
 them except to his enemies"<sup>3</sup>. The king's council appear to  
 have interfered frequently and to have rendered this law a  
 dead letter, but this statute as confirmed<sup>4</sup> and amended<sup>5</sup>  
 A.D. 1487      under Henry VI. may be certainly taken as an attempt to  
 keep up the price of corn and so to encourage the farmer to  
 carry on and to improve tillage. The policy thus begun, of  
 affording protection to native tillage, was carried still farther  
 prohibition  
 of import-  
 ing corn.      under Edward IV. The merchants of the Hanse League  
 had taken to importing corn in considerable quantities<sup>6</sup>, and  
 in 1463 parliament prohibited the importation of foreign  
 grown corn, when the price of wheat at the port to which it  
 was brought did not exceed 6s. 8d. the quarter<sup>7</sup>. This was  
 deliberately done to relieve the condition of the labourers  
 and occupiers of husbandry and to raise the price of corn  
 grown within the realm.

Poor Law.      The statutes of this reign also notice the existence of a

1 18 R. II. st. 1. c. 18. "Forasmuch as divers Artificers, Labourers, Servants  
 and Grooms keep greyhounds and other Dogs, and on the Holydays when good  
 Christian people be at Church hearing Divine service they go Hunting in Parks,  
 Warrens and Conningries of Lords and others to the very great Destruction of the  
 same and sometime under such Colour they make their Assemblies, Conferences  
 and Conspiracies for to rise and disobey their Allegiance," laymen with less than  
 40s. and clergy with less than £10 a year are not to keep dogs or use ferrets, heys,  
 nets, harepipes, cords or other engines to destroy deer.

<sup>2</sup> 34 Ed. III. c. 20.

<sup>4</sup> 4 H. VI. c. 5.

<sup>6</sup> Worms, *La Ligue hanséatique*, 232.

<sup>3</sup> 17 R. II. c. 7.

<sup>5</sup> 15 H. VI. c. 2.

<sup>7</sup> 8 Ed. IV. c. 2.

class about whom there was to be an immense amount of legislation in later times—the impotent poor; there was no intention that they should incur the penalties which were designed for the sturdy tramp who was wandering about with no testimonial from his last employer, but they were to stay in the cities and towns where they were dwelling at the time of the proclamation of the statute<sup>1</sup>, “and if the people of cities or other towns will not or may not suffice to find them, then the said beggars shall draw them to other towns within the hundreds, rape or wapentake, or to the towns where they were born, within forty days after the proclamation made, and there shall continually abide during their lives.” There is a certain *naïveté* in the sanguine temperament of legislators who thought that the ‘settlement’ of the impotent poor might be effected once for all in six weeks; the maintenance of the impotent was of course left to charity, but their claims were not always sufficiently borne in mind. This was especially the case when livings were appropriated; and it was enacted that when this was done a convenient sum should be set aside to be distributed yearly to the poor parishioners<sup>2</sup>.

It thus appears that in dealing with rural problems, the parliament of Richard initiated several very important lines *of a new policy.* of policy. They set themselves to encourage tillage as a permanent employment, and began the Corn Laws, and in doing so they had a regard not merely to the need of food, but to the military strength of the country as recruited from the rural population. Again we have in this reign the first legislation for the impotent beggars as distinguished from the sturdy tramp, and since both sides of the problem are attacked we may consider this the first of the Poor Laws; the idler was discouraged by the Game Law. Like the mercantilist regulations for trade, and the navigation acts of the time, they are mere germs from which a whole elaborate code was to spring, but it is not uninteresting to notice how all these branches of social legislation have their first beginnings during this reign.

<sup>1</sup> 12 R. II. c. 7.

<sup>2</sup> 15 R. II. c. 6.

### III. COMMERCIAL RELATIONSHIPS.

A.D. 1399  
—1461.  
*Decay of  
English  
shipping.*

120. It is commonly said that Richard's failure to protect English shipping alienated the merchants from his side, and indeed that his deposition was directly connected with the weakness of the naval force of the realm, since a small fleet might have prevented the landing of Henry of Bolingbroke<sup>1</sup>. Be this as it may, Richard's successors were more careful than he had been and tried with but little apparent result a variety of expedients for giving protection to English shipping and to the English coasts.

*Scar-  
borough.  
A.D. 1388.*

A.D. 1420.

A pitiful complaint from the men of Scarborough shows us the nature of the perils to which they were exposed; their town lying open to the sea was day after day assailed by Scots, Frenchmen and Flemings in their ships; and though they had provided a barge and a balinger for their own protection, they were unable to maintain an effective defence without help in manning these ships<sup>2</sup>. Besides the attacks which emanated from the sailors of foreign and hostile nations, there were organised bands of outlaws, known as 'Rovers of the Sea,' who pillaged the coasts in the time of Henry VI.<sup>3</sup> The reprisals of one trading community upon the merchants of another, though a serious trading risk, ought not to be confused with mere plundering—it was a rough and ready way of obtaining recovery for debts<sup>4</sup>.

*Exposed  
condition  
of the  
coasts.*

It is only however by an examination of the separate histories of different localities that we get any real idea of the frightful extent of this evil along all our coasts. Agnes Paston writes in 1450 as an everyday event of a neighbour "who was taken with enemies walking by the sea side," and adds, "there ben ten great vessels of the enemies: God give

<sup>1</sup> Macpherson, *Annals*, i. 610.

<sup>2</sup> *Rot. Parl.* iii. 162 (46).

<sup>3</sup> *Rot. Parl.* iv. 350 (42), 376 (29). One of the first signs of the rising maritime importance of Holland was given when they helped to clear out a nest of pirates from Friesland. Macpherson, *Annals*, i. 620.

<sup>4</sup> The line was not drawn very strictly however. The commanders of vessels, who gave security for their good conduct according to treaty engagements with Britanny, were expected to refrain from attacking Breton vessels, presumably under all circumstances. Rymer, *Fœdera*, x. 804.

grace that the sea be better kept than it is now, or else A.D. 1399 it shall be a perilous dwelling by the sea coast<sup>1</sup>." The —1461. marauders seem to have kidnapped young and old<sup>2</sup>; we can A.D. 1442. well believe that rural districts like the neighbourhood of Paston had cause for alarm, when towns like Sandwich and Southampton were burned, and London and Norwich were forced to plan means of defence<sup>3</sup> with booms and chains.

Henry IV., though he organised a considerable navy in 1400 by requisitioning ships from the nobles and the towns<sup>4</sup>, did not attempt the difficult task of protecting English shipping. Probably the best security was given by merchant vessels sailing together as a fleet, and this was a generally recognised practice<sup>5</sup>. But Henry attempted to organise a A.D. 1406. system of defence rather for the coasts than the shipping, and committed this duty to the merchants themselves in letters addressed to the various ports, which empowered them to take three shillings on every cask of imported wine, besides other payments on staple exports for expenses connected with the work<sup>6</sup>. They were also to nominate two admirals<sup>7</sup>, one for the south and one for the north, to be appointed by the king and to have full jurisdiction in maritime affairs, as well as power of organising naval forces whenever it was necessary; but a brief experience seems to have shown that the scheme was a failure, and the payments were rescinded<sup>8</sup>. A somewhat similar expedient was tried under Henry VI.: the Earls of Salisbury, Shrewsbury, Worcester, and Wiltshire with Lord Sturton were appointed to 'keep the seas' for three years; a grant of tonnage and poundage was assigned them for the purpose and certain A.D. 1458.

<sup>1</sup> *Paston Letters*, I. 114.

<sup>2</sup> 20 H. VI. c. 1.

<sup>3</sup> Denton, *Fifteenth Century*, pp. 87, 89.

<sup>4</sup> Rymer, *Fœdera*, VIII. 127, 172.

<sup>5</sup> Cotton, *Abridgement*, 548. John Sharpe owner of a vessel called the Christopher of Hull, complainant, sheweth that the same Christopher at Bordeaux was appointed to be one of the Admirals of the English navy then bound for England, and how that all the English Masters were sworn before the Chief Officers of Bordeaux not to depart or leave the said Admiral until they came to England, and how by doing the contrary the said ship fully freighted was taken by the enemy: for the which ship and goods he requireth recompense of all the other ships.

<sup>6</sup> Rymer, *Fœdera*, VIII. 438.

<sup>7</sup> Ibid. VIII. 439.

<sup>8</sup> Ibid. VIII. 455.

A.D. 1399  
—1461. towns were to contribute specified loans, on the security of these taxes, for their immediate equipment<sup>1</sup>. But this attempt was also dropped, and the lords were, at their own request, discharged from the duty<sup>2</sup>.

*Insecurity of the coasts.* It is indeed difficult, in looking back, to realise that there was any real difference as to the actual security afforded in any part of this period<sup>3</sup>, or that Richard's reign was marked by greater losses than those of his grandfather<sup>4</sup> and his successor. The expedients of the Lancastrians appear to have been futile, though the military intercommunication with France<sup>5</sup>, especially in the days of Henry V., may have afforded a greater measure of safety on the seas. But this was a very passing improvement, for in the reign of Henry VI. we find all the old complaints; the people on the coasts could not even get satisfaction by pillage, for their enemies claimed the prizes they took by forged letters of safe conduct. It appears that it was safer for 'neutrals' to send their goods in foreign ships, as they were less likely to be attacked, and the native shipping—so important for the safety of the realm—

<sup>1</sup> Cotton's *Abridgement*, 652.

<sup>2</sup> *Ibid.* 657.

<sup>3</sup> It appears however that the tradition of the English sovereignty of the seas had not become altogether a dead letter, if we may trust the complaint alleged on behalf of John Willis, a poor fisherman of Ostend, who was carried off to Hull along with fifteen companions and four boys, although they were unarmed and lowered their sail as soon as the English hailed them: the incident is traditionally interpreted as a sort of salute. Rymer, *Fœdera*, viii. 277.

<sup>4</sup> See above, p. 278.

<sup>5</sup> Henry V. had in 1417 a fleet consisting of six large vessels, eight barges and ten balingers (Nicolas, *Agincourt*, App. p. 21).

A good deal of interesting information on the state of the arts in England is to be found in the accounts of Henry V.'s preparations for his French campaigns. There was a great gathering of craftsmen to wait for the king; tents (Rymer, *Fœdera*, ix. 200), bows (224), carts (248), horse shoes and nails (250), arrows (486), guns (542), are all to be provided. Ships were to be hired in Holland and Zealand (215), and impressed from English ports; seamen were to be got to man them: carpenters and masons, presumably for making engines of attack (261), and surgeons (252 and 363), were to accompany the expedition: while bacon (437) and all sorts of other victuals were to be provided (224). For ready money he seems to have had recourse to pawning the Crown jewels (284), and to trying to raise loans, though without much success (499 and 814). The regulations made for the good government of Normandy, providing for uniform weights and measures, and coinage (738), the repression of unfair dealing by soldiers and merchants (728, 759), and confirmation of former possessions and privileges, show a real effort to govern the conquered country well.

was much discouraged<sup>1</sup>. It is also curious to note how the A.D. 1399 first attempt at remedying a crying evil only seemed to aggravate the mischief: the issue of letters of safe conduct prevented the men on the English coasts from getting redress by taking the matter into their own hands, while they did not serve to secure any immunity from danger.

Henry V. endeavoured to bring about one change of *Ship-building*. permanent value, for he devoted himself to the improvement of English ships, in imitation of the large vessels of the Genoese; three ships of unwonted size were turned out from the docks at Southampton and were called respectively the *Trinity*, the *Grace de Dieu* and the *Holy Ghost*; twenty years afterwards the glory of this achievement was still celebrated<sup>2</sup>. Private merchants also showed great enterprise in this way; John Taverner of Hull built a great carack and received A.D. 1449. substantial encouragement by being exempted from the law

<sup>1</sup> "Whereas poor Merchants of the King of this Realm daily be robbed by the King's Enemies, upon the Sea, and in divers Rivers and Ports within the said Realm, of their Ships, Goods and Merchandises, of great Riches, and their Bodies taken and imprisoned with great Duress, and put to great Fines and Ransoms, and the King's poor Subjects dwelling nigh the Sea Coasts taken out of their own Houses, with their Chattels and Infants upon Land, and carried by the said Enemies where it please them, which Mischief come by reason that the said Merchants be discouraged with Force and Puissance of Ships and of People defensible to keep the Sea and the Coasts of the same, for that the Ships, Goods and Merchandises by them taken from the said King's Enemies, be sometimes claimed by the King's Enemies, by Colour of Safe Conducts not duly purchased, nor of Record enrolled, so that the King's Subjects may have Notice of them, and sometimes be claimed by Merchant Strangers of the King's Amity, to be belonging to them, by Colour of false Witnesses of their Nation and by Letters of Marque, and Charters Party by them counterfeited, and by such Proofs upon such Claims be restored to the same Goods and Merchandises often taken in Ships and Vessels belonging to the King's Enemies, and the King's said Subjects put to great Vexation, and Loss of their own Goods, whereby the said Enemies be greatly enriched, and their Navy strongly increased, and the Navy and Merchandise of the said Realm of our Lord the King greatly diminished.... Our said Lord the King considering the Premisses, and that if People of the King's Amity be feared and discouraged to freight the Ships and Vessels of the King's Enemies and Adversaries, their Navy in time to come will be decreased and diminished, and the Navy of the King's Subjects increased and enlarged"—it was provided that all Letters of Safe Conduct should be void unless they had been enrolled in Chancery, and that Goods taken from Enemies' ships which had not such letters should be lawful prize. 20 H. VI. c. 1.

This preamble throws an instructive light on the negotiations with the Hansards as to the damage they had suffered, and as to the course taken by the English Ambassadors in requiring clear proofs of the wrongs done, and in cutting down the amounts claimed.

<sup>2</sup> *Libelle of English Polycye in Political Songs*, II. 199.

A.D. 1399 of the staple<sup>1</sup>, and William Canynges owned 2,853 tons of  
—1461. shipping, among which was one vessel of 900 tons burden<sup>2</sup>. Similar endeavours were being made in other countries; it was during this century that the large herring busses, which are familiar to all readers of Adam Smith, first appeared in English waters<sup>3</sup>; and large ships capable of holding two hundred passengers were now built, and went on regular voyages in the summer season, with pilgrims who desired to visit the shrine of S. James at Compostella<sup>4</sup>. It is of course difficult for us to estimate the precise amount of the progress that was now made, but it is well worth noting as an important effort; these improvements in ship-building enabled Englishmen to send out fleets that were fit to be employed in voyages of discovery under the Tudors.

*Navigation laws.* While this direct encouragement to the building of ships may be regarded as a new departure the older and indirect methods were not forgotten, though they were allowed to drop, and the navigation policy was somewhat in abeyance<sup>5</sup>; a navigation act very similar to those of Richard II. was passed in 1463<sup>6</sup>; but it was only temporary and it appears to have expired at the end of three years and not to have been renewed.

*Com.-  
mercial  
treaties.* 121. The growth of English commerce at this time is shown by evidence of another kind, for we have a considerable number of commercial treaties. Some of these like the agreements with Burgundy<sup>7</sup> and with Britanny<sup>8</sup> had special

<sup>1</sup> *Fæderæ, xi.* 258.

<sup>2</sup> William of Worcester's *Itinerary* (Dallaway), p. 114. But it is not clear that they were English built; for it is stated as a grievance in 1442 (*Rot. Parl.* v. 64, No. 89) that Englishmen were prevented from buying or building ships in Prussia and the Hanse towns. The largest ship of which we hear at this time in English waters was one belonging to the king of Sweden which was of 1000 tons. Rymer, *Fæderæ, xi.* 864.

<sup>3</sup> Macpherson, i. 631.

<sup>4</sup> Jusserand, *English Wayfaring Life*, 367. Rymer, *Fæderæ*, x. 896, 401, 567, xi. 77.

<sup>5</sup> Schanz, *Handelspolitik*, i. 363. Henry IV. was asked to confiscate foreign ships and reinforce the navigation act of Richard II., but he took no active steps (*Rot. Parl.* iii. 144, No. 158), and no navigation act was passed under Henry V. or Henry VI.

<sup>6</sup> 8 Ed. IV. c. 1.

<sup>7</sup> See the elaborate treaty for one year. Rymer, viii. 469.

<sup>8</sup> Rymer, *Fæderæ*, viii. 490.

reference to the hostilities between England and France ; <sup>A.D. 1399</sup> ~~1461~~ but others were of a more general character, and show that direct trade was extending to wider limits. An agreement for the security of the subjects of the two contracting parties was made between England and Castile in 1403, by which freedom was given to them to go and stay for a time and return with their goods, in safety both on land and sea<sup>1</sup>. There was a similar agreement with the king of Portugal, though it had not prevented the capture by English subjects of ships and goods belonging to natives of Portugal<sup>2</sup>, and neither treaty makes it clear that English merchants actually visited the Peninsula at that time.

To the north of the continent of Europe they certainly <sup>Merchant companies.</sup> traded ; but English merchants in Prussia and the Hanse towns found themselves at a disadvantage and exposed to loss, because there was no proper authority to regulate their officers and settle disputes among them<sup>3</sup> ; they elected a governor whose authority was confirmed by Richard in 1391. Subsequently Henry IV. empowered<sup>4</sup> the merchants trading <sup>Prussian company.</sup> in those parts to meet together and elect governors who should not only have authority in quarrels which arose among the English themselves, but should have power to arrange disputes between English and foreign merchants and to secure redress for any injury that might be done them in foreign parts. This was in 1404, and three years later similar privileges were granted on precisely similar grounds to the English merchants of Holland, Zealand, Brabant and Flanders<sup>5</sup>, and afterwards to those of Norway, Sweden and Denmark<sup>6</sup>. These documents are of considerable interest as <sup>A.D. 1408.</sup> they are among the earliest instances of the formation of organisations of English merchants for mutual protection in the prosecution of trade<sup>7</sup>. In the formation of these companies there is no close analogy with the Merchants of the Staple, though they were a trading association<sup>8</sup>, as they were prima-

<sup>1</sup> Rymer, *Fœdera*, VIII. 312.

<sup>2</sup> Ibid. VIII. 339.

<sup>3</sup> Ibid. VII. 693.

<sup>4</sup> Ibid. VIII. 360.

<sup>5</sup> Ibid. VIII. 464.

<sup>6</sup> Ibid. VIII. 511.

<sup>7</sup> The previous protection afforded by treaty (Hakluyt, *Voyages*, I. 150) had not proved effectual, and for a time trading relations were suspended.

<sup>8</sup> The earlier organisations of Staple Merchants such as those of which we

A.D. 1399  
—1461. rily concerned with one great source of revenue and carried on their transactions in a town that belonged to England<sup>1</sup>. But in the arrangements now made we have the germs of the Prussian Company and other great companies trading within specified limits; of these the East India Company attained the greatest importance. But one great company did trace their actual origin as a body of traders to a charter granted by Henry IV. though they claimed to have a still older history. The Brotherhood of S. Thomas of Canterbury<sup>2</sup> had given rise to the Mercers Company founded under Edward III., and in 1407<sup>3</sup> an offshoot of that Livery Company was incorporated as the Company of Merchant Adventurers. They were the great rivals of the Hanse League, and though primarily a London Company they appear to have had affiliated branches in Exeter and Newcastle<sup>4</sup>. The prime object of these companies was to secure judicial facilities for their members in foreign places; but they also had much to do with the regulation of trade, and they laid down rules which were intended to keep the members from reckless trading, and to prevent any of them from spoiling the market for English goods. In the later history of the Merchant Adventurers we hear much of a 'stint' or limit assigned to each member according to his standing in the Company, and which restricted the number of cloths he might export in each year<sup>5</sup>. Similarly the regulations for

A.D. 1600.

read in the time of Edward II., and the organisation of the staplers at Bruges in 1359 (see Appendix C), are much more nearly parallel to these new companies. The action of the staplers in regulating trade is alluded to in a complaint which came before Parliament in 1442, and exposed the mischiefs which accrued from the Staplers' Ordinance of partition. The merchants were obliged "to leave their Merchandise of Woll and Wolffell, because they may not be rulers of their owne goodes," and others who could not "abide the streight rule of the saide partition," had taken to smuggling wool out of the country, and defrauded the king of his regular customs. *Rot. Parl.* v. 64 (38).

<sup>1</sup> From the time of Richard II. till 1558 the staple was fixed at Calais. Gross, *Gild Merchant*, i. 141. It was primarily a 'fiscal organ' though also suberving trading purposes. *Ibid.* 144.

<sup>2</sup> 12 Henry VII. c. 6.

<sup>3</sup> Rymer, viii. 464.

<sup>4</sup> Gross, *Gild Merchant*, i. 158.

<sup>5</sup> To the end that those which are traders may be equally and indifferently cared and sortied for, and that the wealthie and richer sort with their great purses may not engrosse the whole Commodity into their owne hands, and so some have all and some never a whit, there is a stint and reasonable portion allotted, and set

the trade of Bristol, as re-issued under William Canynges, A.D. 1399  
 pre-suppose that there should be a 'ruled price' for each of <sup>A.D. 1461.</sup>  
 the chief commodities of trade, and that no merchant should  
 sell below it, unless he was in difficulties and the wardens of  
 the company had failed to 'provide a remedy' after three  
 days' notice<sup>1</sup>.

Provision for the protection of English merchants could *Consuls*.  
 also be made by the appointment of foreign consuls. The  
 Italian cities had accredited such agents long before this  
 time, but the appointment in 1485 of Lorenzo Strozzi, a  
 Florentine, to be English Consul at Pisa appears to be the  
 first instance recorded of an official being empowered to  
 discharge such duties for Englishmen in the Mediterranean<sup>2</sup>.  
 Possibly his duties were not very arduous at first, for it  
 appears from the terms of the appointment that English  
 merchants were intending to trade there, and that the  
 experience of other nations showed that the existence of  
 such an officer would prove an inducement to them to  
 undertake direct voyages to Italy.

In the north however Englishmen were really pushing *Rivalry with Hansards*  
 their trade to such an extent that they were brought into  
 difficulties with more than one of their neighbours. At the  
 beginning of the fifteenth century the Hansards found that  
 their monopoly of the Baltic trade was threatened; the  
 Danes had always opposed them, and after the accession of  
 Queen Margaret the Danish influence became dominant  
 over the whole Scandinavian peninsula<sup>3</sup>. There was no A.D. 1397.  
 immediate breach with the Hansards, but they complained  
 that they were unfairly treated by the Danish officials in  
 various ports and open war was carried on in the time of  
 Eric. The great Norwegian staple town of Bergen suffered  
 severely during this struggle; a corsair from Wismar attacked A.D. 1429.  
 and destroyed it, and the English merchants who resided  
 there were massacred<sup>4</sup>. They had been in a more favoured  
 position than the Hansards, and were thus specially obnoxious

by an ancient order and manner what quantitie either at once or by the yere  
 every man may ship out or transport which he is not to go beyond nor exceed.  
 J. Wheeler (Secretary of the Merchant Adventurers), *Treatise of Commerce*, 57.

<sup>1</sup> Barrett, *History of Bristol*, 179.

<sup>2</sup> Rymer, *Fœdera*, XII. 270.

<sup>3</sup> Worms, *La Ligue hanséatique*, 189.

<sup>4</sup> *Ibid.* 144.

A.D. 1399 to their rivals. On the whole however English merchants  
 —1461. gained by the struggle between the Danes and the Hansards; they were able to open up communications with Prussia, where they were welcomed by the Teutonic knights<sup>1</sup>, and thus the monopoly which the Hansards had enjoyed in the Baltic was completely broken down. Even by the treaty of  
 A.D. 1470, in which Edward IV. was forced to treat the Hansards with special indulgence<sup>2</sup>, the right of the English to trade in the Baltic was preserved, and the position of Eastland merchants who traded with Prussia was rendered more secure, on paper, though it does not appear that they gained much practically.

Though the rulers of Scandinavia and Denmark were willing to encourage the merchants of England and Holland in preference to the Hansards, and in order to break down their monopoly, they were by no means inclined to brook interference in the regions where they had themselves enjoyed an exclusive trade. Iceland was their chief dependency and they were anxious to preserve the fur trade for their sole benefit, and also to keep their fishing rights on the north and western coasts inviolate. The English had long carried on a clandestine trade with Iceland; they preferred to deal direct with that island and were not content to frequent the royal staple at Bergen and abide by the regulations which governed transactions there<sup>3</sup>. The king endeavoured to enforce his rules and confiscated the goods of English merchants throughout his dominions—a step which caused general consternation, for as there were no Danes trading to England it was impossible to make reprisals<sup>4</sup>. Our seamen continued to carry on the contraband trade with Iceland under various excuses<sup>5</sup>, and in 1476 they ravaged Iceland and slew the royal bailiff there. Such open

<sup>1</sup> Worms, *La Ligue hanséatique*, 150.

<sup>2</sup> See below, p. 378.

<sup>3</sup> 8 H. VI. c. 2.

<sup>4</sup> 10 H. VI. c. 8. In some previous quarrels the Hansards at Boston had been held responsible. Rymer, VIII. 684, 701, 736, IX. 325. See above, p. 290.

<sup>5</sup> John, one of the Icelandic bishops who was afraid to go and get installed, deputed John May, Captain of the Katharine of London, to go and inspect the temporalities of his see. Richard Waston, a stock-fishmonger, was also concerned in this voyage. Rymer, x. 645; see also 692 and 762.

defiance was promptly met by their expulsion from Bergen A.D. 1369 and resulted in the triumph of their Hanseatic rivals for the time<sup>1</sup>.

122. The disabilities to which Englishmen were liable in foreign parts reacted on the position of foreigners in England. King Henry IV. was forced to call pointed attention to the fact that the privileges granted to the men of the Hanse Towns had been accorded to them on the express condition that English merchants abroad should receive similar treatment in Germany<sup>2</sup>. But negotiations were always complicated by the fact that reprisals were constantly going on, from both sides; and the main business was not so much to arrange the footing on which merchants might trade, as to settle the large claims for redress which were put in by the merchants of different trading towns. The practice of reprisal and the existence of organised bands of pirates have been spoken of above<sup>3</sup>; but much additional information may be drawn from the accounts of the two serious attempts that were made to settle outstanding grievances.

Tedious negotiations began in 1403 when William Esturmy, Knight, and John Kington, Canon of Lincoln, were sent from the court of parliament at Coventry, "very slightly informed," as royal ambassadors to treat about the "injuries unjustly offered" on both sides. Each town makes its plaint in turn, and the ambassadors endeavoured to cut down exorbitant demands. The chief complaint against the English came from the Livonians who had had three ships "unjustly" robbed and rifled by the English in July 1404; they valued the ships and goods at £8037. 12s. 7d. but the English ambassadors reduced the claim to £7498. 13s. 10*½*d. It was also alleged that in the affair the English had caused "250 men very barbarously to be drowned, of whom some were noble and others honourable personages, and the rest common

<sup>1</sup> Worms, *La Ligue hanseatique*, 152.

<sup>2</sup> Rymer, *Fœdera*, VIII. 112. Richard II. had made an express stipulation "of their aiding, counseling, and comforting" Englishmen abroad. *Rot. Parl.* III. 52 (6).

<sup>3</sup> pp. 278, 366.

<sup>4</sup> Hakluyt, *Voyages*, I. 154.

A.D. 1399  
—1461. merchants and mariners," in respect to whom the English agreed that the "said sovereign lord the king should of his great piety vouchsafe effectually to devise some convenient and wholesome remedy for the souls of such persons as were drowned." The people of Hamburg claimed 9117 nobles and after due examination there was promised restitution to the sum of 416 nobles; to the men of Bremen, who claimed 4414 nobles, no satisfaction was promised; and the claims from Stralsund, Lübeck, Greifswald and Kampen were greatly reduced. Some matters were deferred till additional evidence could be procured, and English goods in the hands of foreigners were to be counted as an offset.

*Claims  
by the  
English.*

A.D. 1394.

The chief claims on the English side were against the citizens of Wismar and Rostock who in the ten preceding years had committed robberies on ships from Newcastle, Hull (five complaints), York (two), London (two), Colchester, Yarmouth (five), Norwich, Clee (six), Wiveton (six), Lynn (seven). The most serious charge was from the people of Lynn they had a mercantile settlement consisting of twenty houses at Bergen in Norway; this town was attacked by the men from Wismar and Rostock and burnt; the English merchants lost their houses and goods, and had to ransom their persons at an expense of £1815<sup>1</sup>. It was further averred by the English ambassadors that these were not the mere acts of individuals, but that the whole towns were implicated in these outrages, since the men were "hired thereunto at the expenses and charges of the common societies of the cities aforesaid, and that the inhabitants of every household in the aforesaid cities (each man according to his ability) wittingly and purposely set forth one, two or more men for the same expedition." Eventually king Henry agreed to pay<sup>2</sup> the sum of 5308 nobles.

*Nature  
of the  
grievances.*

When the question of damages is thus set aside we may see more clearly the nature of the grievances on each side. The Hansards complained chiefly of the way in which the

<sup>1</sup> Hakluyt, *Voyages*, I. 169.

<sup>2</sup> Rymer, *Fœdera*, VIII. 601. It is especially stipulated that the payment should be by bills and not made in bullion, except a reasonable sum for the ambassador's expenses.

customers performed their duties at different ports ; charging A.D. 1399 customs twice over, or charging at illegal rates, and claimed the privileges of their ancient charters. The English complained that the Hansards would not deal with their merchants, and had carried this boycotting so far as almost to starve some of them ; they had not only made unreasonable regulations themselves, but had procured the passing of similar laws in Norway and Sweden. It was also urged that they had infringed their privileges in London ; they were accused of allowing strangers, who were not members of their society, to "colour" their "goods and merchandise under their company" and so had diminished the king's custom. This had been done so commonly for twenty years past, both by the general council and particular cities, that the loss to the revenue could not easily be calculated. The loose organisation of the Hanse League rendered it very difficult to check frauds of this kind, and the English ambassadors demanded a declaration in writing as to "what and what manner of territories, cities, towns, villages or companies they be, for which the said society challengeth and pretendeth that they ought to enjoy the privileges granted unto their merchants."

One result of these negotiations was a new effort to put down 'unjust' robberies by sea ; it was agreed that when anything was taken by English pirates from Prussian subjects and carried to England, the governors of the various ports should be bound on sole report or probable suspicion to arrest and keep the goods in safe custody to be restored to their owners ; and if they omitted to do so they were themselves bound to recompense the losses ; a delay in executing justice or re-imburasing the pillaged merchants, was to be met by the arrest of English goods in Prussian towns. Such limitation of reprisal, so that it became the final remedy when legal processes failed, was a real step in advance.

Still more important negotiations were carried on in the time of Edward IV. ; and the treaty of Utrecht was confirmed by the king in 1474. The Hansards then secured very favourable terms, which were wrung from Edward IV. some-  
*Political relations of the Hansards.*

<sup>1</sup> *Hakluyt*, 1. 174.

A.D. 1399 what against his will, for he desired to stand well with the  
 —1461. city merchants; but the Hansards had come to his aid at the crisis of his fortunes and he did not dare to resist their demands. When in 1470 Warwick secured French support for the cause of Margaret and the Lancastrians, the Hanse towns, with some exceptions, felt called upon to interfere; if French influence came to dominate in London, there was little hope that their privileges would be respected, and they gave substantial assistance to Edward who landed at Ravenspur and carried all before him<sup>1</sup>. Four years later he had to pay the price for their aid, and the Hansards were able to secure unusually favourable terms; they were to have absolute possession of three factories, the Gildhalla Teutonica, or Steelyard in London, the Steelyard in Boston, and another in Lynn<sup>2</sup>. Besides this they were credited with a sum of £10,000 in satisfaction for injuries done them; this sum was not to be paid, but deducted from the customs as they accrued. Various important privileges were confirmed to them, and they secured the right of selling Rhenish wines by retail<sup>3</sup>. This agreement probably marks the highest point of success to which the Hanse merchants attained in their dealings with this country; the settlement in London had flourished for more than four hundred years, but their monopoly of the Baltic trade was already broken. So far as their position in England was concerned their decline and fall was singularly rapid, and in the time of Elizabeth the ancient Steelyard was altogether deserted.

*Nature of  
 Italian  
 trade.*

123. Allusion has been made above to the evidence which shows that Englishmen were beginning during the fifteenth century to visit Italy for commercial purposes; and we have also some fuller information in regard to the trade which was carried on by Italians with this country. It is commonly said that they originally settled here, as in other parts of the north, with the view of collecting and transmitting papal taxation<sup>4</sup>; but as we have seen this view must

<sup>1</sup> On the whole incident compare R. Pauli, *Die Haltung der Hansestädte in den Rosenkriegen in Hansische Geschichtsblätter*. (1875), 75—105.

<sup>2</sup> Rymer, *Fœdera*, xi. 796.

<sup>3</sup> Ibid. xi. 799.

<sup>4</sup> Schanz, *Eng. Handelpolitik*, i. 111.

be corrected<sup>1</sup>, for there is evidence that from a very early A.D. 1399 time the Florentines were also engaged in procuring raw wool for the manufacturers in their own city. In 1284 three Italian merchants wrote from London to acquaint their principals with the arrangements they had made for procuring wool regularly from various monastic establishments; and a list survives from the year 1315 of nearly two hundred ecclesiastical houses in England and Scotland which furnished the Florentines with this article<sup>2</sup>. The fact that the papal agents were also engaged in an export trade goes far to explain how it was possible for England to meet the continual drain of papal taxation; as the wool trade declined it became more necessary to insist on the use of bills of exchange in this business, for the wool-merchants would prefer to export raw material when they could.

The first Florentine merchants settled in England were *Florence*. occupied in transmitting money's worth to Italy and in carrying on the business of bankers in England: the Frescobaldi, Bardi and Peruzzi with whom Edward III. had such large transactions. He was not the only royal defaulter of the time<sup>3</sup>, and the disasters which attended the banking houses appear to have reacted on the prosperity of the Tuscan city itself<sup>4</sup>. The development of the cloth trade in England may have interfered somewhat with their chief exports, but in so far as the laws against the export of bullion were enforced, especially those of Richard II., their business must have been principally that of negotiating bills of exchange; these were probably liquidated partly through transmission of English wool overland to Italy, and partly at the great fairs of Champagne<sup>5</sup>. In the fifteenth century however a direct maritime trade had sprung up, and their great galleys brought 'things of complacence' to London, while their

<sup>1</sup> An importation of spices &c. is at least implied in the language about the *Ytalicci* under A.D. 1260 in the *Chronicle of the Mayors and Sheriffs. De antiquis legibus Liber* (Camden Soc.), 118.

<sup>2</sup> S. L. Peruzzi, *Storia del commercio et dei banchieri di Firenze*, 70.

<sup>3</sup> Robert of Sicily. *Peruzzi, Storia*, 461.

<sup>4</sup> S. L. Peruzzi, *Storia*, 457.

<sup>5</sup> A. Beer, *Allgemeine Geschichte des Welthandels*, I. 221. Bourquelot in *Mém. de l'Académie des Inscriptions*, II. series, v. ii. 127.

A.D. 1399  
—1461. merchants threw by their business relations with the Netherlands<sup>1</sup>.

*Genoa.* The original connexion with the Genoese was of a different character. Richard I. had established relations with them, but it was not easy to preserve friendly ties with the Ligurian republic<sup>2</sup>. They took the same impartial interest in the maritime struggles of the fourteenth century as the Swiss did in military operations at a later time, for they were always ready to supply mercenary ships of war. In 1316 King Robert the Bruce hired some galleys from Genoese citizens to be used against England, and Edward II., into whose hands some letters about the transaction had fallen, complained of this infraction of the ancient amity with the Republic; while a few months later he endeavoured to procure similar assistance for himself<sup>3</sup>. Edward III. was at great pains to court their friendship<sup>4</sup> and to disarm their hostility<sup>5</sup>. As French influence over Genoa increased there was a breach of the friendly relations with England<sup>6</sup>. This was a matter of regret on other grounds, as the Genoese had opened up commercial as well as military connexions with the north of Europe, and the trade with them would have been particularly profitable. At one time there

A.D. 1879. was a prospect of a Genoese staple being established at Southampton, but this was prevented by the jealousy of London merchants<sup>7</sup>; and England lost the advantage which would have accrued. The Genoese were skilled in the manufacture of weapons and munitions of war<sup>8</sup>, and they also imported alum, woad and other materials which were useful for the cloth manufacture<sup>9</sup>, while they exported large quantities of English goods; the business they carried on was more in favour with the English citizens than that

<sup>1</sup> *Libelle of English Polycye in Political Songs*, ii. 172.

<sup>2</sup> J. T. Bent, *Genoa*, 149.

<sup>3</sup> *Fædera*, II. i. 298, 818.

<sup>4</sup> *Ibid.* II. ii. 941, 946, 948.

<sup>5</sup> *Ibid.* II. ii. 1156, III. i. 126.

<sup>6</sup> *Ibid.* VIII. 717, 778. Henry V. endeavoured at least to secure their neutrality, as when he granted them trading concessions he did not bind them not to trade with his enemies. *Fædera*, x. 130.

<sup>7</sup> Walsingham, *Hist. Angl.* I. 407, 449.

<sup>8</sup> A. Beer, *Geschichte des Welthandels*, I. 200.

<sup>9</sup> We hear of the import of corn in 1316, a famine year. *Fædera*, II. i. 292.

done by other Italians<sup>1</sup> despite their political connexion with A.D. 1399 France. But this connexion affected the privileges which —1461. the king allowed them to enjoy, and their position suffered from the varying relations of the Lancastrians and Yorkists to France<sup>2</sup>.

The Venetians were under no such disadvantage; they *Venice*. seem to have frequented this country for trading at an earlier date than any of the other Italians<sup>3</sup>; we hear of a quarrel between the crews of five Venetian galleys and the people of Southampton and the Isle of Wight in 1323<sup>4</sup>; shortly afterwards a regular grant of trading privileges<sup>5</sup> was accorded. Relations continued on the whole to be friendly, and in the fifteenth century, Southampton<sup>6</sup>, with Bruges, was the great centre of Venetian trade in the north of Europe; they sailed to London and other English ports with merchandise, thence passed to Flanders to transact business, and afterwards loaded with English goods and returned to the Adriatic<sup>7</sup>, and they enjoyed very special privileges about arrest for debt, and in regard to the tribunals before which they should plead<sup>8</sup>, while they shared in the relaxation of the staple regulations which was permitted to merchants trading towards the West<sup>9</sup>. But A.D. 1379. the trade which they carried on did not meet with general approval. Venice had far outstripped Genoa in the development of manufactures, and on the other hand their connexions did not enable them to import the raw materials for cloth

<sup>1</sup> *Libelle in Political Songs*, II. 172.

<sup>2</sup> Schanz, *Englische Handelspolitik*, I. 116.

<sup>3</sup> Ibid. I. 117. *Rot. Cart.* p. 84, 13 Jan. 1301.

<sup>4</sup> *Calendar of State Papers (Venetian)*, I. 5, No. 18.

<sup>5</sup> Rymer, *Fœdera*, II. i. 598.

<sup>6</sup> The 'Flanders Galleys,' a trading fleet organised by the Venetian State, formed a merchant fleet which first sailed in 1317. They visited Syracuse, Majorca, the coasts of Spain and Portugal, and proceeded thence to England, and to the Low Countries: they frequented the Channel ports rather than London itself. The whole was under the direction of a Commodore elected by the Great Council: each vessel had 30 archers on board, for purposes of defence. The galleys were manned by 180 Slavonian oarsmen who had a fraternity in Southampton and their own place of sepulture at North Stoneham, where the inscription may be read, "Sepultura de la schola de sclavoni, ano Dni mcccculxxxxi." R. Brown, *Calendar of State Papers (Venetian)*, I. lxi.

<sup>7</sup> Rymer, *Fœdera*, VIII. 595.

<sup>8</sup> *Calendar of State Papers (Venetian)*, I. 41, No. 138.

<sup>9</sup> 2 R. II. c. 8; 2 H. V. st. II. c. 6.

A.D. 1399  
—1461.

dressing and dyeing, such as the Genoese furnished; they therefore imported spices, drugs and fine manufactured goods which public opinion condemned as mere articles of luxury that pandered to extravagant tastes.

*Import of  
articles of  
unproductive  
consumption,*

This objection to certain branches of foreign trade, on what we may call sumptuary grounds, is one we shall meet over and over again, but it nowhere finds more definite expression than in the *Libelle of English Polycye*.

The grete galleys of Venees and Fflorencie  
Be wel ladene with thynges of complacence  
Alle spicerye, and of grocers ware,  
Wyth swete wynes, alle manere of chaffare,  
Apes, and japes and marmasettes taylede,  
Trifles, trifles that litelle have availed  
And thynges wyth whiche they fetely blare oure eye,  
With thynges not enduryng that we bye.  
Ffor moche of thys chaffare that is wastable  
Mighte be forborne for diere and dyssevable.

\* \* \* \* \*

Thus these galeise for this lykyng ware,  
And etyng ware, bere hens our best chaffare,  
Clothe, wolle and tynne, whiche as I saide beforne,  
Oute of this londe werste myghte be forborne.  
Ffor eche other londe of necessite  
Have grete nede to by some of the thre,  
And wee resseyve of them into this cooste  
Ware and chaffare that lyghtlye wol be loste.  
And wolde Jhesu that our lordis wolde  
Considre this wel, both yonge and olde;  
Namely olde, that have experiance  
That myghte the yonge exhorten to prudencie<sup>1</sup>.

On these and other grounds public opinion demanded that some limitation should be imposed on the Italian traders. It was asked first of all that they should only import commodities from Venice and the East, as they had engaged in the carrying trade between Spain, Portugal, Britanny and England<sup>2</sup>; here we have another indication of Navigation

<sup>1</sup> *Libelle of English Polycye* in *Political Songs (Rolls)*, ii. 178.

<sup>2</sup> "Eke when the Spaynards, Portygaleris, Bretons, and othere Merchantes of the Contres on this half the saide Straytes (Marrock, i.e. Gibraltar) brought and solden theymself here in this Reaume, Greyn, Oyle, Wex, Iren, Fruyt, and suche other Merchandises of the same Countries, and also where that the Merchantes of

policy, requiring these foreign merchants only to import the produce of their own land. The petitioners also urge the singular plea, quite in a Cobdenite spirit, that commercial needs would facilitate peace between the hostile nations, if it were not for the intervention of neutral traders. "All tho that are youre Ennemys in any Contres on this half the said Streites schall be fayna to desire your peas and frendeship, or atte best to bryngge hider their Merchandises and fette yours be sauf conduyts<sup>1</sup>." No action was taken on this petition, and in 1445 there were other complaints brought against them; this is the first symptom of the objection that they were seriously interfering with the native industry of the country—and indeed with the staple trade. "Whereas the Merchaunds Straungers Italianys, of longe tyme contynually abydinge in this your noble Reame, have customably used to ryde aboue for to bye Wollen Clothes, Wolle, Wolfelles, and Tynne, in every partie of the same Reame, by the sufferaunce whereof the said Merchaunds have knowleche of all the privattees of the same Reame, as well of the povertye of your peple as of their penurye. Wheche poverté and penurye *The cloth trade.* the said Merchaunds percevyng, have redye money and therwith at the first hande bye Wollen Cloths, Wolle, Wolfelles and Tynne, of such indygent persones as sell hit at their grete myschief and losse, and summe of the said Merchaunds putte the said Wolle for to make Clothe thereof," and the price of wool and cloth had in consequence been greatly diminished and decreased, than which there could be no greater hurt to the liege people of the realm. The suggested remedy was to ordain that these foreigners should only buy the staple commodities at the ports where their galleys called, and that they should not be allowed more than three

Engelonde with her Shippes, myght goo and bye there hemself such Merchandises and bryng hem into Engelond, thanne were al suche maner of Merchandises in grettere habundance, and at bettere chepe and price wthyndynne this Reaume, and the Navie and the Merchaundises of this saide Reaume in bettere estate thanne ever they were or are lykly to be." Since the Italians had taken up the carrying trade they had brought fewer goods from their own land, with the usual complaint of increase of price, decrease of customs, lowering the price of native exports, and "ske to gretter hurt of alle the Navye." *Rot. Parl.* v. 81 b.

<sup>1</sup> *Rot. Parl.* v. 82 a.

A.D. 1399  
—1461. months in which to dispose of their cargoes<sup>1</sup>. Like the previous complaint this was ineffectual and it is not hard to discern the real ground of the objection here alleged. The London wool staplers and clothiers<sup>2</sup> did not pay ready money, and for that matter did not always pay at all<sup>3</sup>. Such competition as that of the Italians in the internal trade of the country must have interfered seriously with their accustomed profits. The complaint of their buying wool, "some of which they delivered to clothiers to make cloth after their pleasure," reappears in the reign of Richard III., along with a very complete summary of the other grievances which had been matters of complaint at all times—of storing goods so as to sell at enhanced prices, of selling by retail, of exporting money and not commodities, and of harbouring other aliens<sup>4</sup>.

*Protecting  
of native  
artisans* 124. Though the outcry about the interference of foreigners in the great manufactures of the country had no immediate effect, serious efforts were made in the latter half of the fifteenth century to encourage native industry, partly by prohibiting the importation of finished goods and partly by encouraging the importation of materials. In 1455 a complaint was made on behalf of the silkwomen and spinners of the mistry and occupation of silk-working in London that the Lombards, with the intention of destroying the said mistry, were introducing "ribbands and chains, falsely and deceitfully wrought, all manner girdles and other things concerning the said mistry and occupation, in no manner wise bringing in any good silk unwrought as they were wont to bring heretofore"; and parliament entirely prohibited the importation of these goods, under the penalty of forfeiture together with a heavy fine<sup>5</sup>.

*under Edward IV.* The reigns of the Yorkists were particularly distinguished for the eagerness with which this policy was pursued. Edward IV. passed similar measures with regard to silk in 1463<sup>6</sup> and 1483<sup>7</sup>; but the former statute contained another

<sup>1</sup> *Rot. Parl.* v. 394 (11).

<sup>2</sup> See a complaint of their monopoly from the drapers in 1406. *Rot. Parl.* iii. 598, No. 127.

<sup>3</sup> *Paston Letters*, iii. 166.

<sup>4</sup> 1 R. III. c. 9.

<sup>5</sup> 33 H. VI. c. 5.

<sup>6</sup> 8 Ed. IV. c. 8.

<sup>7</sup> 22 Ed. IV. c. 8.

clause of a far more sweeping character. It complains that A.D. 1399 owing to the import of wares "fully wrought and ready made to sale" the "artificers cannot live by their misteries and occupations as they have done in times past, but diverse of them, as well householders as hirelings and other servants and apprentices in great number be this day unoccupied and do hardly live in great misery, poverty and need," and it proceeds to prohibit the introduction of a very miscellaneous assortment of finished goods<sup>1</sup>.

The wardens of the various misteries in towns where they existed were to have the right of search to aid in executing this statute, and their powers were extended so that they might search in adjoining towns and villages where there were no wardens of their own craft. It is a curious feature that the prohibition did not extend to the sale of "goods taken upon the sea without fraud or collusion or that come into the realm by way of wreck." Similar prohibitions were enacted by Richard III.<sup>2</sup>, and there is every reason to suppose that A.D. 1484. this protective policy was worked with some success, for towards the close of the fifteenth century we begin to hear of an incursion of Italian artisans to reside and exercise their callings, but not to settle in England<sup>3</sup>. Parliament prohibited

<sup>1</sup> Woollen Caps, Woollen Cloth, Laces, Corses, Ribbands, Fringes of Silk and Thread, Laces of Thread, Silk Twined, Silk in any wise embroidered, Laces of Gold, Tyres of Silk or Gold, Saddles, Stirrups or any Harness pertaining to Saddlery, Spurs, Bosses of Bridles, Anndirons, Gridirons, any Manner of Locks, Pinsons, Fire Tongs, Dripping Pans, Dice, Tennis Balls, Points, Purses, Gloves, Girdles, Harness for Girdles of Iron, Latten Steel, Tin or of Alkemine, anything wrought of any Tawed Leather, any Tawed Furrs, Buscans, Shoes, Galoches, or Corks, Knives, Daggers, Woodknives, Bodkins, Sheers for Taylors, Scissors, Razors, Sheaths, Playing Cards, Pins, Pattens, Pack Needles, or any Painted Ware, Forcers, Caskets, Rings of Copper or of Latten Gilt, or Chaffing Dishes, Hanging Candlesticks, Chaffing Balls, Sacring Bells, Rings for Curtains, Ladies, Scimmers, Counterfeit Basons, Ewers, Hats, Brushes, Cards for Wool, blanch Iron Thread commonly called White Wire. 8 Ed. IV. c. 4.

<sup>2</sup> 1 R. III. c. 12.

<sup>3</sup> "IV. Moreover a great number of artificers and other strangers not born under the king's obeysance, do daily resort and repair to the city of London, and to other cities, boroughs and towns of the said realm, and much more than they were wont to do in times past, and inhabit by themselves in the said realm with their wives, children and household, and will not take upon them any laborious occupation, as going to plough and cart, and other like business, but use the making of cloth and other handicrafts and easy occupations, and bring and convey from the parts beyond the sea, great substance of wares and merchandises

A.D. 1399  
—1461. artificers who came from abroad from exercising their crafts as independent householders, or as employers; they were to engage themselves as "servaunts unto suche of your subgietts only as ben experte and connynge yn suche Fetys, Crafts and Werkes as the seide Straungiers can occupie." Alien artificers<sup>1</sup>, already established in the country, were only to sell by gross and not by retail, and only to take the king's subjects for their servants. There is indeed one interesting exception to this prohibition; the act was not to be prejudicial to any "Artificer or Merchant Stranger, of what Nacion or Countrey he be or shall be of for brynging into this Realme or selling by Retaill or otherwise of any manner of Bokes wrytten or imprynted or for the inhabitynge within the said Realme, for the same intent, or to any writer, lymper, bynder or imprynter, of such bokes as he hath or shall have to sell by wey of Merchandise, or for their abode in the same Reame for the exercising of the said occupacions."

*Money and bullion.* 125. The preceding paragraphs show that there had been a very great increase in the trading connexions of the country since the time of Edward III., and considerable attention was directed to questions connected with the media-

to fairs and markets, and all other places of this realm at their pleasure, and there sell the same, as well by retail as otherwise, as freely as any of the king's subjects use to do, to the great damage and impoverishment of the king's said subjects, and will in no wise suffer nor take any of the king's said subjects to work with them, but they take only into their service people born in their own countries, whereby the king's said subjects for lack of occupation fall into idleness, and be thieves, beggars, vagabonds, and people of vicious living to the great perturbation both of the king and of all his realm; and when the merchants, artificers and strangers before rehearsed have gained within this realm, by buying or by such easy occupations and handicrafts, great substance of goods, with the same substance they go out of this said realm to such parts beyond the sea as liketh them best, and there spend the same goods, oftentimes among the king's adversaries and enemies, to the great damage of our sovereign lord the king and his subjects, and impoverishment of this realm and the commons of the same, and so by occasion of the premisses, the substance of the inhabitants in the said cities, boroughs and towns now late hath fallen, and daily doth fall into great poverty and decay, to their great undoing, unless the king's gracious aid be to them in this behalf showed."

In answer to this petition aliens were restrained from exercising handicrafts, and were compelled to sell their goods in gross, and within eight months from landing, and restrained in other ways. 1 Richard III. c. 9.

<sup>1</sup> Of these the number must have been considerable; in 1436 no fewer than 1798 aliens, dwelling in different counties, were naturalised. Rymer, *Fœdera*, x. 637.

of exchange. There was not however any fresh departure <sup>A.D. 1399</sup> from the lines laid down under Richard II.<sup>1</sup>; aliens were still to expend half their money in goods though they might take the rest in bullion<sup>2</sup>; but before long this permission was rescinded<sup>3</sup> and they were required to expend the whole of their moneys, saving only their necessary expenses, on the commodities of the realm. Severe restrictions were also put upon their dealings with one another; and houses were to be assigned for their residence where they might live with sufficient hosts. This statute is chiefly remarkable for <sup>A.D. 1401</sup> the clause which renders it felony to multiply gold or silver or use the craft of multiplication<sup>4</sup>.

Henry V. framed a complete code of regulations in connexion with an attempted reformation of the gold coinage; he ordained that the clipped and worn coin should only be accepted by weight and endeavoured to induce the public to bring in their money to be recoined<sup>5</sup>; they were to pay <sup>A.D. 1421</sup> seignorage of 5s. on the Tower Pound of gold and fifteen pence on the pound of silver<sup>6</sup>, and to receive the money recoined in eight days<sup>7</sup>; all the gold in the hands of the exchange was to be brought for coinage also<sup>8</sup>. At the same time he extended the time which was allowed to the Pope's Merchants to export goods to the value of their bills, from three months to nine; as they complained that they could not bind

<sup>1</sup> See above, p. 353.

<sup>2</sup> 2 H. IV. c. 5.

<sup>3</sup> 4 H. IV. c. 15.

<sup>4</sup> 5 H. IV. cc. 4, 9. This was suspended by Henry VI. in favour of philosophers who undertook to transmute metals for him. *Fædera*, xi. 128, 240.

<sup>5</sup> 9 H. V. st. i. c. 11.

<sup>6</sup> 9 H. V. st. ii. c. 1; compare 2 H. VI. cc. 15, 16.

<sup>7</sup> But the royal exigencies rendered this condition nugatory: see the complaints *Rot. Parl.* iv. 101 (17).

<sup>8</sup> The business of the Exchange was still organised in the old way and let out to individuals for a period of time (see above, p. 268). There were complaints from time to time as to the way in which this duty was discharged (e.g. John Van, *Rot. Parl.* i. 293, No. 23; Hugh Bryce, *Rot. Parl.* v. 684, No. 42), and at the accession of Henry IV. the officers of the Exchange were specially exempted from the general pardon. *Rot. Parl.* iv. 7 a. In 1464 the office was granted to "Master William Hatteclif our Phisicion and Moreys Burghill," on a payment of £20 yearly "as it was laten to ferme beforne, and £10 over of encress by yere." *Rot. Parl.* v. 529 b. In Henry VII.'s reign it was let for a similar sum (£30. 6s. 8d.) to Fox. *Rot. Parl.* vi. 877 b. The charge on exchange was one halfpenny on every noble. *Rot. Parl.* v. 635, No. 43.

A.D. 1399 themselves to carry out the terms of their bonds within the shorter time. In the reign of Henry VI. a new step was taken, and aliens were required to give sureties from their companies that they would not export gold; the same measure contains a noticeable exemption, for it permits the exportation of gold for the ransoms of English prisoners<sup>1</sup>.

*Scarcity of bullion in Europe.* The evils could not be easily prevented however; the precious metals were so scarce in Europe at this time that all nations were making similar regulations in the vain effort to retain them<sup>2</sup>, while they were being extravagantly used for purposes of adornment and display; and Edward IV. increased the penalties by rendering the export of bullion felony, in the hope of averting "the impoverishing of the Realm, and final destruction of the Treasure of the same Realm"<sup>3</sup>. He also enacted that merchants of the staple should insist on immediate payment, and that half their receipts should be in the form of money or bullion and should be sent within three months to the mint<sup>4</sup>. While a political motive may just be detected in the foregoing regulations with regard to treasure, a similar intention stands out in clear relief in the measure which insisted on the importation of bow staves<sup>5</sup>. Richard's statute in 1483 is particularly curious, as it combines the diverse objects of providing for the defence of the realm and encouraging a body of native artisans. "Mekely shewen unto youre discrete wisdom youre besechers the Bowyers inhabitant within Citeez, Burghes and Villages of this noble Realme of Englund, occupying Artillary to theym belonging for the sure tuicion and defence of the seid Realme, that where in tymes past goode and hable stuff of Bowestaves as well by Englishe Merchaunts as by Straungiers hath been brought into this said Reame, by the which the said inhabitaunts Artillers myght

<sup>1</sup> 2 H. VI. c. 6.

<sup>2</sup> Schanz, *Englische Handelspolitik*, I. 483.

<sup>3</sup> 17 Ed. IV. c. 1. This seems to imply a recognition of the two distinct objections which were urged by mercantilists, (1) to draining the country of coinage as an inconvenience to the public, and (2) diminishing Treasure as a political danger.

<sup>4</sup> 3 Ed. IV. c. 1.

<sup>5</sup> Four with every ton of goods, 12 Ed. IV. c. 2, and ten with every butt of wine, 1 R. III. c. 10; both enactments are specially directed against Italians.

competently live upon suchē Stuff as they then bought <sup>A.D. 1461</sup> of Bowestaves at xls. the C, or xlvis. and viiid. atte mooste. <sup>—1485.</sup> It is so nowe, that by the subtile meanes of Lumbards useing to diverse Portes in this Realme, the Crafte of Bowiers aforesaid is sore mynnushed and likly to be uttirly undone, and therby the londe greatly enfebled to the greate Jeopardie of the same, and the greate conforte to the Enemies and adversariez thereof." They continue to point out that bowstaves are now sold at four times the old price, and that they are sold unsorted, good and bad alike, at this outrageous price. While the political motive lies in the forefront, the statute is interesting as being an early case of legislation for the import of the raw materials needed in a branch of manufacture.

#### IV. INDUSTRY AND INTERNAL TRADE.

126. There is abundance of evidence to show that the *manufacture of cloth* had increased with such extraordinary <sup>factory of cloth.</sup> rapidity, that it had grown to be a very important trade. English wool was still sought after by foreigners<sup>1</sup>, but much was retained at home; the customs from wool were declining<sup>2</sup> while commerce was expanding fast; and in the notices of trade, as well as the complaints about pirates, we find that cloth, and not merely wool, was an ordinary English export. The manufacture had its chief centre in the eastern counties, but it was really diffused throughout the length and breadth of the country, as we may gather from the various statutes which were intended to regulate the production. The aulnager held an ancient office, as it existed <sup>The aulnager.</sup> in the time of Edward I.<sup>3</sup>; it was his duty to visit the fairs and presumably to try and enforce the one measure of cloth which had been established for the kingdom<sup>4</sup>. His office

<sup>1</sup> On the project of opening a staple for wool at Pisa see below, p. 497.

<sup>2</sup> From £68000 in the time of Edward III. to £12000 in 1448, at Calais.

27 H. VI. c. 2.

<sup>3</sup> Perot le Taillour forfeited the office and Pieres de Edelmeton was installed in his place and took the oaths. Madox, *Ecclesie*, 588.

<sup>4</sup> Magna Carta (9 H. III. c. 25).

A.D. 1461 gave great opportunity for fraud and there are frequent  
 —1486. complaints of 'covin' between dealers and aulnagers, to the  
 A.D. 1580. hurt of the public<sup>1</sup>. The attempt to enforce one measure for  
 A.D. 1590. the whole country was first discarded in favour of the makers  
 of Cogware and Kendal cloth, in diverse counties<sup>2</sup>: and from  
 West of  
 England. the same statute we learn of such abuses in the manufacture  
 Essex. in Somerset, Dorset, Bristol and Gloucester, that the merchants  
 who took them abroad were imprisoned, and in danger of  
 being killed. The Essex custom, of selling cloths opened, so  
 that the buyers might examine them, was put in force more  
 generally<sup>3</sup>. A few years later greater scope was given for the  
 A.D. 1594. varieties of local manufacture, as any one was allowed to make  
 cloth of the length and breadth he liked, so long as it was  
 measured by the king's aulnagers and sealed to show what  
 it really was<sup>4</sup>; but this liberty was abused and subsequent  
 statutes defined the exact sizes to which cloths of different  
 East  
 Anglia. sorts should be made<sup>5</sup>. Worsteds were made in Norfolk,  
 A.D. 1467. Suffolk and Cambridge, of four different dimensions, and the  
 oversight of these counties was assigned to the eight wardens  
 chosen at Norwich<sup>6</sup>. The making of broad-cloth was also  
 carried on in East Anglia and Essex<sup>7</sup>; London was known as  
 a centre for manufacture<sup>8</sup> as well as for sale at the beginning  
 of the fifteenth century, and we hear of the cloth industry  
 at Salisbury and Winchester towards its close<sup>9</sup>.

Varieties  
 of quality. The manufacture was evidently extending to different  
 localities, and as the hands became more skilled, an increased  
 variety of articles was produced, though high-priced and, pre-  
 sumably, fine cloths were still imported<sup>10</sup>. The variety was  
 partly due to the quality of the wool grown in particular  
 districts, and on this account the practice of mixing flocks

<sup>1</sup> 8 R. II. c. 2; 17 R. II. c. 5.

<sup>2</sup> 18 R. II. st. 1. c. 10. They were allowed to make these sorts of cloth of the  
 usual breadth of three-quarters of a yard. This, one may notice, is the Flemish  
 ell of 27 inches (Toulmin Smith, *Gilds*, Winchester, p. 351 n.), and the practice  
 may possibly point to a Flemish origin of the species of manufacture.

<sup>3</sup> 18 R. II. 1. c. 11.

<sup>4</sup> 17 R. II. c. 2.

<sup>5</sup> 11 H. VI. c. 9, and statutes recited there.

<sup>6</sup> 7 Ed. IV. c. 1.

<sup>7</sup> 8 Ed. IV. c. 1.

<sup>8</sup> 4 H. IV. c. 6.

<sup>9</sup> 1 R. III. c. 8.

<sup>10</sup> 4 Ed. IV. c. 1. The French Herald appears to admit that more cloths are  
 made in England but insists that far finer cloth is made in France. Pyne, 80.

with the cloth was permitted in certain parts of Devonshire, A.D. 1461,  
 though it was forbidden elsewhere<sup>1</sup>; but in other cases,  
 increasing skill was doubtless able to meet varieties of  
 taste. The statute of Richard III. which defines the sizes A.D. 1484.  
 of the ordinary cloths, broad-cloths, straights, and kerseys  
 yet enumerates some half-dozen additional sorts to which  
 it did not apply<sup>2</sup>.

By far the most complete picture of the cloth manufacture in the fifteenth century is furnished by a statute A.D. 1465. of Edward IV. The preamble makes the usual complaint of bad workmanship, and alleges that English cloth was falling into disrepute abroad; the statute regulates the whole business in all its details. The size of cloths of different sorts, the modes of sealing good cloths, imperfect cloths and half cloths were all ordained, and full discretion was given to appoint a sufficient number of officers to attend to these duties. It also throws some light on the mode in which the trade was carried on; clothiers delivered the wool *Clothiers.* to the spinners, carders and other labourers by weight, and paid them for the work when it was finished; but apparently they perpetrated frauds on the labourers, in delivering the wool, and by forcing the labourers to take a great part of their wages in pins, girdles, and other 'unprofitable wares.' This appears to be the earliest act against truck; it ordains that for the future payment shall be made in true and lawful money. The various employments, which were combined in *Division of labour.* the manufacture of cloth,—as carders, spinners, weavers, fullers<sup>3</sup>, shear-men and dyers,—are distinguished, and the duties of the fullers described with great precision. The long list of officials charged with powers under this act gives additional proof that the trade was carried on alike in towns and rural districts.

Among subsidiary employments connected with the preparation of cloth, the dyers seem to have occupied a *Sub-sidiary em-  
 ployments.* prominent place. At Coventry in particular they seem to

<sup>1</sup> 7 Ed. IV. c. 2.

<sup>2</sup> 1 R. III. c. 8.

<sup>3</sup> 4 Ed. IV. c. 1. Some of these arts appear to have declined before the seventeenth century, as we read of an unsuccessful attempt by Cockayne to reintroduce them.

A.D. 1461 have been a powerful body<sup>1</sup>; and defective dyeing with materials that faded or of cloth not properly prepared was especially condemned by statute in 1484<sup>2</sup>.

*Materials.* Considerable care was taken that English workmen should be well supplied with raw materials; Edward IV. rearranged the regulations for the staple with the intent that "sufficient plenty of wool might continually abide and remain in the realm, and might serve for the occupation" of clothmaking, in all its various branches<sup>3</sup>, while he prohibited any bargains for the clip of wool before the sheep were shorn, in any of the southern counties where the clothing trade chiefly lay<sup>4</sup>. On the other hand we do not hear of such restrictions on the export of fuller's earth, teasels and other agents in the manufacture, as had been in vogue in its early days under Edward II.<sup>5</sup> Parliament had apparently endeavoured to preserve the English breed of sheep<sup>6</sup> but Edward IV. is commonly charged with less care in this matter, and it is said that the breed of Spanish sheep was greatly improved in consequence of a present of rams sent by him to the king of Arragon<sup>7</sup>. There were also endeavours to keep the whole of the process of manufacture in the country, and prohibitions of the export of 'thrum'<sup>8</sup> and woollen yarn<sup>9</sup>.

*Capital in industry.* As the cloth manufacture was the branch of industry which developed most rapidly, we cannot be surprised that it approximated to the modern type, while other crafts were still working on the old lines. In Edward IV.'s reign it was carried on by capitalists, very much as it was in the eighteenth century, and the difficulties between the clothier and those whom he employed were very similar at these two periods. This fact shows the dimensions which this industry

<sup>1</sup> *Rot. Parl.* iv. 75, No. 21.

<sup>2</sup> 1 R. III. c. 8.

<sup>3</sup> 8 E. IV. c. 1.

<sup>4</sup> 4 E. IV. c. 4.

<sup>5</sup> Riley, *Memorials*, 149, 150.

<sup>6</sup> 8 H. VI. c. 2. This was partly intended to prevent frauds on the revenue by exporting live sheep to shear them in Flanders (Pyne, *Debate of Heralds*, 544), but it had also reference in all probability to the preservation of the English breed which was at all events believed to be superior. Ashley, *Woollen Manufacture*, 70 n.

<sup>7</sup> Smith's *Chronicon Rusticum*, i. 69. Eden (*Hist. Poor*, i. 88) gives a case of the exportation of English sheep to Spain in 1350. See above, p. 292.

<sup>8</sup> The threads left unwoven at the end of a piece of cloth.

<sup>9</sup> 8 H. VI. c. 28.

was now assuming; and it demands very special attention as A.D. 1461  
 the development of this trade is the one bright feature in the  
 economic history of the fifteenth century. The most contra-  
 dictory opinions have been expressed as to the character of  
 this period. On the one hand it is spoken of as marked by  
 unbroken prosperity<sup>1</sup>, on the other hand<sup>2</sup> as one of unrelieved  
 disaster, poverty and misery. That this last statement is  
 exaggerated we may see for ourselves when we look at the  
 vast number of churches which were built or enlarged during  
 the period of Perpendicular Architecture. In many parts of  
 England, but especially in the eastern counties, the parish  
 churches were reconstructed on a larger scale, if on less  
 beautiful lines; such building operations would have been  
 impossible if the country had been falling into utter poverty.  
 On the other hand the decay of tillage and lack of rural  
 employment, during this century<sup>3</sup>, rest on unimpeachable  
 evidence, and many of the towns were impoverished too.  
 The frequent complaints which led to exemption from  
 taxation, the preambles of the Yorkist statutes, as well as  
 the narration of the gild difficulties, show that there was *and of*  
 much suffering in towns in all parts of the country. But *many towns.*

<sup>1</sup> Professor Thorold Rogers regards the "fifteenth century and the first quarter of the sixteenth," as "the golden age of the English labourer" (*Six Centuries*, 826). He is followed by Gunton (*Wealth and Progress*, 187) and Hyndman (*Historical Basis of Socialism*, 1), who doubts "whether any European community ever enjoyed such rough plenty as the English yeomen, craftsmen and labourers of the fifteenth century." This view rests entirely on the interpretation of prices, and especially on the assumption that employment was constant, and that the labourer's income is fairly represented by 300 times his daily wages (Rogers, *Agriculture and Prices*, iv. 756); it is hardly necessary to observe that accounts made out for times when work was going on, are not evidence as to the frequency or length of periods when work was not obtainable. Some men worked all through Sundays and holidays and worked extra hours to complete a piece of work, but this does not help us to guess how far employment was constant.

<sup>2</sup> Denton, *Fifteenth Century*, 94. The authors of that invaluable storehouse of facts, the *Annals of Commerce*, also speak decidedly: "the manufactures and commerce of the country were grievously depressed and their advancement retarded." Macpherson, I. 609.

<sup>3</sup> Professor Thorold Rogers calls attention to it as a matter of importance in "the later years of the sixteenth century" and notes that the complaint is found "as early as" 6 Henry VIII. c. 5; but it had attracted attention in parliament long before that time. He apparently holds that the enclosing of the fifteenth century was not made at the expense of tillage (*Agriculture and Prices*, iv. 68, 64 n., 109).

A.D. 1461. while tillage was decaying, and some towns were becoming impoverished, the wealth of the clothiers was increasing; the rates of payment they offered would suffice to keep up the rates of wages for agriculture, and to render tillage a matter of increased difficulty; boys and girls who had opportunities of learning some branch of the textile trade were authoritatively forced to labour in the fields<sup>1</sup>. We may thus find in the growth of the clothing trade, a solution of the apparent contradictions spoken of above. For many of the rural population the fifteenth century was a time of abundance, not because agriculture was flourishing but because they were taking up domestic manufactures; by way of contrast we may note that the close of last century was a time of great misery—not merely because agriculture was in difficulties, but because the domestic industries were giving place to the factory system.

Royal regulation of cloth trade and of goldsmiths. A.D. 1423. The cloth manufacture as a domestic industry pursued in many parts of the country, and as the manufacture of an important export had been under the supervision of royal officers from a very early time<sup>2</sup>, and the goldsmiths' and embroiderers' craft<sup>3</sup>, as concerned in the use of the precious metals and gold thread, were regulated by statutes, though these crafts had gilds in the larger centres of trade<sup>4</sup>. The statute about goldsmiths in the time of Henry VI. recognises their gild as the agency for carrying out the regulations that seemed necessary; each workman was to set his own mark on every article as well as the Leopard's Head which testified to the quality of the metal; and the mark and sign of every goldsmith was to be known to the wardens of the craft<sup>5</sup>. In the time of Edward IV. the other craft gilds came to be recognised by statute as the authorities for searching out manufactures illegally imported<sup>6</sup>; they were charged with important public functions, and had power to exercise them outside their own particular

<sup>1</sup> 12 R. II. 5; 7 H. IV. c. 17.

<sup>2</sup> Complaint of and from Worsted in *Rot. Parl.* i. 292 (18) and ii. 28 (50).

<sup>3</sup> 28 E. I. c. 20; 37 E. III. c. 7.

<sup>4</sup> 2 H. VI. c. 10.

<sup>5</sup> On the early weavers' gilds see above, p. 179. Statutory authority was given to worsted weavers in Norwich to elect Wardens (28 H. VI. c. 8, 7 E. IV. c. 1).

<sup>6</sup> 2 H. VI. c. 17.

<sup>7</sup> 3 E. IV. c. 4.

town. But while the gilds were thus securing a more A.D. 1461 important status there is ample evidence that their internal <sup>—1486.</sup> affairs were in an unsatisfactory state.

In the fourteenth century we find a few difficulties <sup>Craft</sup> between different gilds when the province which each had <sup>gilds and municipal</sup> officers. to supervise was not properly defined<sup>1</sup>, and there were occasional disputes between town authorities and gilds A.D. 1376. which claimed to possess an independent jurisdiction<sup>2</sup>; but in the fifteenth century the whole system became strained. In regard to this matter there is a very close parallel between London and the great towns of the Continent, and a change which was so very generally felt, must have been due to very far-reaching causes. There is reason to believe that towards the middle of the fifteenth century there was a considerable increase in the population, unaccompanied by any great improvement in the means of production<sup>3</sup>, and consequently a relative overpopulation in several European countries; and there can be little doubt that this was the case in English towns at all events. The alleged exhaustion of the soil<sup>4</sup> and the prevalence of sheep-farming were at all events incompatible with any great increase in the food-supply, while there was a tendency for the rural population to move into the towns. The frequent complaints of poverty and lack of employment which led eventually to stringent measures against foreign competition, confirm the evidence from other sources to show that the gilds were being overstocked with <sup>Condition of jour-</sup> journeymen who could hardly hope to attain the position of <sup>neymen.</sup> householders and employers, and who may have been in some cases excluded from ever doing so by the preference which was shown to those born in the gild<sup>5</sup>; this was a common practice among the continental gilds, and it is regarded as one of the chief incentives to the formation of the brother-

<sup>1</sup> Cobblers and Cordwainers, Riley, *Memorials*, 539, 570, 571; Joiners and Saddlers, *Ibid.* 156; Pelters and Tawyers, *Ibid.* 830; Leathersellers and Dyers, 965; Bladesmiths and Cutlers, 568.

<sup>2</sup> *Rot. Parl.* II. 831 (54). Compare also the struggle at Exeter with the Tailors in the time of Ed. IV. *Toulmin Smith, Gilds*, 297.

<sup>3</sup> Schmoller, *Die historische Entwicklung des Fleischverbrauchs in Deutschland* in *Tübingen Zeitschrift für die gesam. Staatswissenschaft*, xxvii. 848.

<sup>4</sup> Denton, 153.

<sup>5</sup> Brentano, *Gilds*, cxxxviii.

A.D. 1461      hoods of journeymen which sprang into being during the  
—1485.      fourteenth and fifteenth centuries<sup>1</sup>. The movement appears

*Cord-  
wainers.*

any meeting or make provision which may be to the prejudice of the trade and the detriment of the common people<sup>2</sup>." On the whole, however, the relations of master and servant appear to have been fairly satisfactory during the time of the Edwards; the confederacy of masons which was put down by Edward III. appears to have been a joint effort of masters and journeymen to get better terms from the public<sup>3</sup>, and the ordinance for the sick serving man among the Braelers shows a kindly spirit<sup>4</sup>. But in the time of Richard II. the yeoman or journeyman gilds appear as a distinctly disturbing element.

A.D. 1388.

The earliest proclamation recorded in English in the City was directed against "congregations and conventicles"<sup>5</sup>; but it had no effect on the cordwainers who met at the Friars Preachers, and did conspire and confederate to hold together in rebellion against the overseers of the trade<sup>6</sup>. They had given money to a certain Dominican to obtain confirmation of their fraternity from the Pope<sup>7</sup>. Similarly the Saddlers had a yeoman gild, the members of which attended mass once a year, and who went when summoned to vigils and masses for dead members of their fraternity; but the masters asserted that under a "certain feigned colour of sanctity" they were

*Saddlers.*

A.D. 1396.

really combining to secure excessive wages<sup>8</sup>. The journeyman tailors too preferred to live together in companies in dwelling-houses by themselves without any superior to rule over them, and their conduct caused a good deal of difficulty to the Wardens, and scandal to the City in 1415<sup>9</sup>.

*Tailors.*

Not only do we thus see symptoms of organised struggles

<sup>1</sup> Schanz, *Zur Geschichte der deutschen Gesellenverbände im Mittelalter*, 11.

<sup>2</sup> *Liber Cust.* II. 541.

<sup>3</sup> 34 E. III. c. 9, so also 3 H. VI. c. 1: but on the other hand the Master Shearmen complain of the excessive demands of their journeymen for wages in 1350. Riley, *Memorials*, 251.

<sup>4</sup> Makers of braces, Riley, *Memorials*, 277.

<sup>5</sup> *Ibid.* 495.

<sup>6</sup> The journeymen brotherhoods sometimes had a religious character similar to that of the Tertiaries among the Franciscans. Schanz, *Gesellenverbände*, 70 n.

<sup>7</sup> Riley, *Memorials*, 548.

<sup>8</sup> *Ibid.* 480.

<sup>9</sup> *Ibid.* 609.

between the employer and the employed, but there was also A.D. 1461 a difficulty arising from the introduction of machinery. This —1485. was apparently felt in the cappers' trade in 1376 when a *Introduc-*  
*machinery.* question arose as to the use of water-mills, which were said to do the work insufficiently and badly; but still the public bought their caps from the men who used the mills, and the simple folks of the trade were greatly impoverished and at the point of perishing<sup>1</sup>. Despite the prohibition then, members of the craft and others frequently had recourse to the use of these mills<sup>2</sup>. Eventually the matter came before parliament and the use of Fulling Mills was forbidden by statute in 1483<sup>3</sup>.

But the gilds were not only in difficulties as to their internal affairs, but in regard to their relations with the public. The weavers' monopoly was a grievance as early as 1321<sup>4</sup>; there had been other difficulties in 1376. Parliament took matters in hand and made ordinances for the London fishmongers and vintners<sup>5</sup>; but these proved impracticable and were rescinded in 1383<sup>6</sup>. The charges in 1437 are more specific, although the grounds of complaint were similar,—that the gilds set the local authorities at defiance, and thus injured the public<sup>7</sup>. This petition called forth an A.D. 1437. act<sup>8</sup>, the preamble of which recites that "masters, wardens, and people of gilds, fraternities, and other companies corporate, dwelling in divers parts of the realm, oftentimes by colour of rule and governance and other terms in general words to them granted and confirmed by charters and letters patent of divers kings, made among themselves many unlawful and unreasonable ordinances, as well in prices of ware and other things for their own singular profit and to the common hurt and damage of the people"; and it goes on to provide that new ordinances shall be for the future submitted to justices of the peace, and recorded by them.

<sup>1</sup> Riley, *Memorials*, 408. There is an instructive phrase: "which to the advantage of the people cannot be properly and lawfully fulled save through the support of persons skilled in the said trade."

<sup>2</sup> *Ibid.* 559, 667.

<sup>4</sup> Riley, *Lib. Cust.* i. 416.

<sup>5</sup> 5 R. II. st. 1. c. 4, 5, and 6 R. II. c. 11, 12.

<sup>7</sup> *Rot. Parl.* iv. 507.

<sup>3</sup> 22 E. IV. c. 5.

<sup>6</sup> *Rot. Parl.* iii. 161 (45).

<sup>8</sup> 15 Henry VI. c. 6.

A.D. 1461  
—1485. There was no easy remedy however for the mischiefs which were beginning to appear in craft gilds, and which at length called forth the mournful reflections of Clement Armstrong who looked back to the reign of Edward III., when there "were no corporations of no craftes in London nor halles with no constitution and ordinaunces for no syngularities as now is but the Guyldhall<sup>1</sup>."

*Encouraging tillage.* 128. The agricultural policy of these reigns was developed on the lines that had been indicated under Richard II.<sup>2</sup>: but the preambles explicitly state that the statutes were intended to encourage tillage. Those who went in for higher farming and "used manurement of their land," could only get

*Freedom to export corn.* a 'bare price,' and were therefore allowed to export wheat without a licence when the price was 6s. 8d. the quarter<sup>3</sup>; in 1444 this statute was made perpetual, especially for the advantage of the counties on the sea coast which could not sell the "substance of their corn" except for transport by

*Prohibition of imports.* water<sup>4</sup>. In 1463 the English farmer received another boon<sup>5</sup>; he suffered greatly from the importation of foreign corn, and this was only allowed for the future when the price exceeded 6s. 8d. per quarter, so that in plentiful harvests he had a monopoly of the home market. These measures offer the most signal instance of the reversal of the policy of Edward III.; that corn and victuals should be plentiful and cheap was quite axiomatic in his time, and the complaints of the doings of alien merchants generally allege that somehow or other they made goods scarce and dear; the exceptions are wool<sup>6</sup> and cloth<sup>7</sup> which Englishmen wished to sell at dear rates to the foreigner. But when we remember the dislike of engrossers and others who raised the price of victuals, it is very strange to find that parliament was willing to pass measures of this kind<sup>8</sup>. One can only suppose that the increase of pasture at

<sup>1</sup> *Sermons and Declarations* in Pauli, *Drei volkswirtschaftliche Denkschriften*, 45.

<sup>2</sup> See above, p. 362.

<sup>3</sup> 15 H. VI. c. 2.

<sup>4</sup> 28 H. VI. c. 5.

<sup>5</sup> 8 E. IV. c. 2.

<sup>6</sup> See above, p. 292.

<sup>7</sup> See above, p. 372.

<sup>8</sup> Impoverished landlords had the means of redress themselves and were more likely to lay down their land in pasture than to petition parliament for corn laws.

the expense of tillage was going on so fast as apparently to A.D. 1461 threaten the national food supply.

The first signs of this change have been noted above ; it <sup>Pasture  
farming  
at the  
expense of  
tillage.</sup> had gone great lengths in the time of Henry VII, and there are isolated notices which show it was steadily progressing.

The case of Stretton Baskerville in Warwickshire is a striking example. This manor had been acquired by a certain John de Twyford in whose family it continued till Henry VII.'s time, when "Thomas Twyford, having begun the depopulation thereof, in 4 Henry VII. decaying four messuages, and three cottages, whereunto 160 acres of erable land belonged, sold it to Henry Smith, Gentleman. Which Henry following that example, in 9 Henry VII. enclosed 640 acres of land more, whereby twelve messuages and four cottages fell to ruine, and 80 persons there inhabiting, being employed about tillage and husbandry, were constrained to depart thence and live miserably. By means whereof, the church grew to such ruine, that it was of no other use than for the shelter of cattle, being with the churchyard, wretchedly prophaned, to the evil example of others, as are the Words of the Inquisition<sup>1</sup>."

It might at first sight appear strange that while the <sup>Scarcity of  
labour.</sup> breadth of ground under tillage was thus decreasing there should be any serious difficulty in finding a supply of labourers well qualified for agriculture, but the renewals of the statutes of labourers show that there was an alarming deficiency. In the time of Henry VI. it was ordained that every servant leaving employment must give ample notice so that A.D. 1445. his master might find some one to take his place<sup>2</sup>. Rates of wages both in town and country are laid down with very great precision for summer and winter, with meat and without it. These are obviously intended to be the maximum rates; the frequency of holidays must have made a considerable difference to the wage-earner, since he was only allowed to take a proportionate payment on these days.

That many mere idlers were kept as retainers under colour of husbandry may have accounted for part of the

<sup>1</sup> Dugdale's *Antiquities of Warwickshire*, p. 36.

<sup>2</sup> 28 H. VI. c. 12.

A.D. 1461 difficulty of procuring labour when it was needed; but it  
 —1485. was most probably chiefly due to the development of the  
<sup>Attraction</sup><sub>of the cloth</sub> cloth manufacture in rural districts. Children who had  
<sup>manu-</sup><sub>facture.</sub> served 12 years at husbandry were to keep to that occupation,  
 and under Henry IV. it became illegal for any but freeholders with 20s. per annum to apprentice their children to a trade<sup>1</sup>. But while this had little success so far as husbandry was concerned it checked the development and indeed did positive injury to chartered towns. The citizens of London (8 H. VI. c. 11) and later those of Norwich (11 H. VII. c. 11) were exempt from its operation. The citizens of Oxford were not  
 A.D. 1450. so successful in their appeal; they complained of the heavy ferm they had to pay to the king, and urged that when it was fixed the town was fully inhabited with merchants, artificers and lay people; in consequence of the statute they could not obtain apprentices for different crafts, and could neither meet the royal charges, nor serve and please the clergy and university that is there<sup>1</sup>; they claimed to have their ancient liberty in the matter, such as the people of London<sup>2</sup> enjoyed. We are forced to believe that a development of domestic manufactures was taking place with such rapidity as to compete seriously for the services of labourers, and that the measures which were intended to promote tillage only prevented the towns from obtaining the benefit of the increasing trade.

*Decay of roads.* 129. The break up of the manorial system, the decline of tillage and the paucity of agricultural labour<sup>3</sup> soon came to affect the internal communication in the country, and the roads and bridges were not properly maintained. With the declension of manorial courts this care declined, but still more through the impoverishment of the monasteries. The monastic houses had been much interested in the formation and maintenance of good roads; Professor Thorold Rogers has connected the complaint of bad roads with their disruption<sup>4</sup>, but it may certainly be traced back to the time

<sup>1</sup> *Rot. Parl.* v. 205 (8).

<sup>2</sup> Under whose customs they lived. See above, p. 210.

<sup>3</sup> The care of roads had fallen on the *villans* under the supervision of the Manorial Courts. Denton, *Fifteenth Century*, 178.

<sup>4</sup> *Agriculture and Prices*, IV. 114, 217.

of their decline. It is abundantly clear that at the date of A.D. 1461 the dissolution of the monasteries many of them were much <sup>—1486.</sup> <sub>A.D. 1536.</sub> impoverished<sup>1</sup>, and only a small proportion of the large number of monastic establishments which had been founded at different times survived so long; occasionally we come across a complaint of the loss of their wealth through the <sup>A.D. 1450.</sup> bad management of an abbot<sup>2</sup>. But roads suffered because the available wealth of the kingdom was being drained for the French wars, and there was no one with sufficient public spirit to take up the matter in earnest. There were occasional benefactions for the purpose; a London Alderman left for "the repair of the highway without Bishopgate 5 marks <sup>A.D. 1469.</sup> and for the highway without Aldgate 100 shillings<sup>3</sup>." In Reformation times the Bishops regularly enquired at their visitations as to the manner in which such bequests had been expended<sup>4</sup>. But when a great town like London was dependent for repairs of the leading highways on private munificence<sup>5</sup>, we can easily guess how much the rural districts were neglected in such hard times.

The regulation of the fairs, which were still the great <sup>Grievances</sup> <sub>at fairs.</sub> opportunities for internal trade, was also suffering at this time; the courts of Pie powder were, like all other local <sup>A.D. 1478.</sup> jurisdictions, working badly. The complaint in this case was that the stewards and bailiffs were inclined to take cognisance of matters over which they had no jurisdiction, and to misuse their powers for the private advantage of their friends. These malpractices were said to be the reason of the decline of some of the fairs<sup>6</sup>; but this decline was much more likely to be due to the decay which was alike affecting tillage and the corporate towns.

<sup>1</sup> See below, p. 472.

<sup>2</sup> S. Mary's, Alcester, *Rot. Parl.* v. 206 (5); S. Andrew's, Northampton, *Rot. Parl.* vi. 484 (35).

<sup>3</sup> Orridge, *Illustration of Jack Cade's Rebellion*, 8.

<sup>4</sup> Denton, 175.

<sup>5</sup> Similarly the town of Bristol could not repair the streets, not for lack of money so much as because they had not the necessary powers. *Rot. Parl.* vi. 390 (9).

<sup>6</sup> 17 Ed. IV. c. 2. The fair was less frequented so the Lords lost the tolls and the public were not so well served with goods. 1 R. III. c. 6.

A.D. 1461  
—1485.  
*Strain caused by the French war.*

*Remissions in the collection of fifteenths and tenths.*

£4000.

£8000.

Much of this was immediately connected with the French war; the drain in money was enormous as the parliamentary history of the period shows plainly, but this was really the least part of the mischief; the drain of men was also large, and the hostilities gave opportunity for the pillage which was the curse of commerce and rendered the sea coasts insecure. The levies for the Wars of the Roses, and the depredations of the soldiers, contributed something more to a general disorganisation, which was incompatible with economic prosperity. Hard pressed as the parliaments were to find money, they were forced to make special exemptions in some of the votes under Henry VI. The tenths and fifteenths were still assessed on the basis of 1334; and in 1433 parliament allowed a remission of £4000 in voting a fifteenth and tenth, "in release and discharge of the poor towns, cities and burghs, desolate, wasted or destroyed, or over greatly impoverished or else to the said tax greatly overcharged"; Great Yarmouth and Lincoln are specified for particular exemption<sup>1</sup>. £6000 was also remitted on the fifteenth and tenth and half fifteenth and tenth voted in 1439<sup>2</sup>, when Lincoln, Elm, Wisbech, Leverington, Newton S. Giles and Tidd S. Giles in Cambridge, and Andover and Alresford in Hampshire are particularised for relief. In 1442 the remission is at the same rate on the sum granted; but Lincoln is to be entirely exempt, Cheltenham, Alresford, Andover, Headington in Oxfordshire and Scarborough are to pay half, and Great Yarmouth three-quarters of their ordinary assessment<sup>3</sup>. In consecutive entries<sup>4</sup> March 15th and April 9 in 1445 there are grants of half a fifteenth and tenth, and of a whole, and a half, fifteenth and tenth; in the former the remissions were similar to those of 1442, but by the latter £9000 was remitted. In 1449 there was a remission of £3000 on the half tenth and half fifteenth granted, Great Yarmouth being named for relief<sup>5</sup>; in 1453 the remission was at the same rate, £6000, on one fifteenth and tenth, and Lincoln and Great Yarmouth were entirely

<sup>1</sup> *Rot. Parl.* iv. 425.

<sup>2</sup> *Ibid.* v. 5.

<sup>3</sup> *Ibid.* v. 87.

<sup>4</sup> *Ibid.* v. 68, 69.

<sup>5</sup> *Ibid.* v. 142.

relieved<sup>1</sup>. The same towns were again allowed to go free A.D. 1461 when £31,000 was given to Edward IV. in 1465, though he endeavoured to get payment of the £6000 which had been remitted of the last grant of a fifteenth and tenth<sup>2</sup>. In 1472 there is the same remission, New Shoreham and Cambridge coming in for the boon as well as Great Yarmouth and Lincoln<sup>3</sup>.

It would be most interesting if we had clear contemporary *Causes of decay.* statements of the causes of this general decay; there are a few instances however where this information is given. At New Shoreham the heavy pressure of taxation is assigned as A.D. 1421. the chief cause of decline from 500 to 36 residents, though it had also suffered from incursions from the sea<sup>4</sup>. Rottingdean *Sea.* suffered from the sea, but it had also been burned by the French, and the heavy assessment forced the inhabitants to *War.* withdraw<sup>5</sup>. The port of Yarmouth was stopped up so that ships could not enter<sup>6</sup>. Lynn had been attacked by the A.D. 1407. French<sup>7</sup>, so had Melcombe<sup>8</sup>; Truro had also suffered thus, as well as from pestilence<sup>9</sup>. Of the others mentioned, it may *Pestilence.* well have been the case that the Cambridgeshire towns had been attacked by enemies; while Lincoln had probably been injured by the competition of Boston. It is obvious that whenever from any accidental circumstance a town was temporarily injured, the necessary contributions for the loans *Taxation.* would fall very heavily on those who were left, and that the temptation to migrate from corporate towns must have been strong. We may see in the present day how high rates drive inhabitants outside the municipal boundaries to build large houses in the suburbs, and even affect great business concerns; the Great Eastern Railway is said to have saved in rates by moving their continental traffic from Harwich to Parkeston. The real extent of the decay, and the position and character of the places which escaped, could only be clearly understood, as all similar problems must be settled,

<sup>1</sup> *Rot. Parl.* v. 228.

<sup>2</sup> *Ibid.* v. 497.

<sup>3</sup> *Ibid.* vi. 40.

<sup>4</sup> *Ibid.* iv. 159.

<sup>5</sup> *Ibid.* iv. 160.

<sup>6</sup> *Ibid.* iii. 620.

<sup>7</sup> *Ibid.* iii. 640.

<sup>8</sup> *Ibid.* iii. 638.

<sup>9</sup> *Ibid.* iii. 638.

A.D. 1877  
—1485. by the investigation of local histories; perhaps a careful study of the distribution of churches built in the Perpendicular style might at least show the places where the evils were not severely felt<sup>1</sup>.

## V. MEDIEVAL AND MODERN ECONOMIC IDEAS CONTRASTED.

*Paucity of literature.* 130. The fifteenth century and the first half of the sixteenth may be regarded as a period of transition from mediæval to modern society; many of the changes which took place under the Lancastrians and Yorkists, went on with greatly accelerated rapidity under the Tudor kings. It must be exceedingly difficult to mark with any precision the point which the tide of progress had reached at any particular date; but this difficulty is really insurmountable in the present case, from the meagreness of the economic literature with which we have to deal. In the *Libelle of English Polycye* we have one invaluable storehouse of information, and the preambles of *Statutes*, and *Rolls of Parliament* have much to say on particular points; but there was little if any attempt to expound the old principles afresh, and till the invention of printing there was no facility for the publication of pamphlets discussing current topics. But though we cannot mark how far the change had gone at the time of the battle of Bosworth, we may try and set in clear light the real character of the movement which was taking place. Old institutions of every kind, in town and country, were falling to pieces; new attempts were being made to regulate industry and encourage commerce—that lies on the surface, and no one

A.D. 1485.

<sup>1</sup> This can hardly be regarded as conclusive however; King's College Chapel and monastic buildings which were paid for by wealth drawn from distant estates might be flourishing, while the lay inhabitants of a town were much reduced in numbers and wealth. The building of Great S. Mary's at Cambridge dragged over many years (Fuller, *History of the University of Cambridge*, vi.), and was only accomplished by persistent begging for subscriptions; as a matter of fact these buildings must have been going on at the very time when the town obtained exemption on the ground of poverty in 1472, and again in 1489 (*Rot. Parl.* vi. 438). On the other hand the great Suffolk churches like Lavenham and Long Melford were erected by the munificence of successful clothiers.

can fail to observe it. But the completeness of the change <sup>A.D. 1377</sup> ~~1485.~~ cannot be satisfactorily accounted for until we see that the principles on which the economic organisation of the middle ages was based were being discarded, and that the system which was rising on its ruins was being framed in accordance with entirely different ideas and objects; we shall really get near the root of the matter if we contrast the modern and mediæval ideas as to the principles which determine or should determine prices.

So long as each man had a definite place in the social <sup>Recon-</sup>  
<sup>struction of</sup>  
<sup>society.</sup> group to which he belonged, it was possible to calculate what his reasonable wages should be, and thus to estimate reasonable prices for the commodities he produced. Even in articles like bread and beer which were closely dependent on the chances of the season, an element of reasonable calculation and regulation could be introduced; but the competition of aliens in the fifteenth century, and of unfree craftsmen in the sixteenth, rendered it a matter of increasing difficulty to secure these calculated prices, and the organisations which had assessed them were falling into disrepute and decay. The gradual subdivision of employments and the appearance of intermediaries rendered it more and more difficult to name a price that should be precisely just—as had been attempted in bygone days—and competition prices, from their greater convenience, came slowly into vogue.

It is of course possible to argue that the price which is <sup>Competition</sup> ~~prices~~ reached by mere competition is the just price there and then<sup>1</sup>; it gives a rough and ready way of measuring what is due to the seller, by showing what buyers are willing to give for the right to use these wares. It certainly is true that in a large market, where there are many buyers and many sellers, one effect of competition is to give a uniform and therefore a fair price all round; but the results are not so satisfactory when prices are determined by mere competition, although there happens to be little competing. Sometimes the physical conditions are not present which render it possible for many buyers and sellers to meet; at such times the price of the commodity is really settled by a bargain in which one

<sup>1</sup> Medina, *De rebus restituendis*. Scaccia, *Tract. de Commerce*. p. 120, n. 65.

A.D. 1877      party can take the full advantage of some accidental circumstance which gives him an advantage in haggling. This was the very thing which mediæval regulation had been intended to prevent, as any attempt to make gain out of the necessities of others, or to reap profit from unlooked for occurrences would have been condemned as extortion. It is by taking advantage of such fluctuations that money is most frequently made in modern times; but the whole scheme of commercial life in the middle ages was supposed to allow of a regular profit on each transaction. Traders did not flood a market with goods so as to force a sale; but they stinted the export in the hopes of getting a good price and a clear profit on all the transactions; and all the industrial and commercial institutions of the fifteenth century—craft gilds, merchant companies, or 'Flanders fleets'—were engaged in regulating industry and commerce so that there was comparatively little room for fluctuations. As all these institutions decayed a great opportunity was given for enterprise and business capacity; there were henceforward fields in which the active man could push forward and the man of capacity could speculate with success, and thus the breaking down of the old system gave scope for an extraordinary development of industry and trading. The spirit of enterprise which had been checked before was now left free to assert itself.

*Cost of production underlying price.*

In our own modern days then we take for granted the existence of continual fluctuations in price as mediæval society did not do; but we also approach all questions about prices from an opposite pole. The older view was that of taking the common estimation of the cost of production, while an attempt was made to secure that the articles were of good quality and thus likely to meet the needs of the purchaser who was willing to pay the 'just' price. But the ruling conception, which has come to the front in modern times, is not the cost of making the article, but its convenience and usefulness and desirability when made. One might say that in old times utility determined whether any exchange took place or not, but considerations of fairness regulated the terms of the exchange; whereas in modern times it is by mere reference to present or future utility<sup>1</sup>, which includes

the idea of scarcity, that the rate of exchange is agreed on. A.D. 1377  
 Only on an average and in the long run do competition prices  
 represent the cost of production; mediæval prices were  
 regulated by a consideration of the requirements of the  
 producer, modern prices are determined primarily by the  
 utility of the wares.

The difference which emerges according as we start from one principle or the other comes out most distinctly with reference to wages. In the middle ages reasonable wages were taken as a first charge, both by the writers who laid down the doctrine of just price, and by the gilds which calculated out the rates that were to be paid; in modern times the reward of the labourer cannot but fluctuate in connexion with fluctuations in the utility and market price of the things. There always must be a connexion between wages and prices, but in the olden times wages were the first charge and prices, on the whole depended on them, while in modern times wages are on the other hand directly affected by prices.

Something similar may be noticed in regard to payments made to landlords; a fertile estate would have yielded but little annual income, unless the necessary labour was attached to it. The peasant's share of taxation paid through the landlords was probably the original element in rent; and so far as the copyholders were concerned their quit rents had direct reference to the personal predial services of which they were quit, and the fines marked their entry on a definite personal relationship with the lord, in which mutual obligations were implied. When the new tenant-farming, with stock and land leases, came into vogue the

<sup>1</sup> The really important consideration in the mind of the seller is the utility of the article; its usefulness to him if he resolves not to part with it, or its usefulness as a means of procuring other goods at a future time if he defers the sale; he may often part with it for less than the expense of production if he neither wishes to use it nor sees a chance of getting a better price. So too the buyer only thinks of the usefulness-of-the-article-to-him; he will not pay more for any piece of goods than will suffice to get him something else that serves his turn as well; the expense of production is nothing to him, the utility of the article is all he cares about.

In a large market this is disguised; the price to all is that which is expected to tempt just so many buyers to come forward, that all the stock offered may be sold; the price which all pay accords with the-usefulness-of-the-article to the least anxious buyer who actually buys it.

A.D. 1377 landlords were most anxious to secure tenants, and thus we  
 —1486. may say that in all hiring of land for arable purposes the rent asked and paid had primary reference to the requirements<sup>1</sup> of the tenant who was to pay; the landlord wished to keep up the effective force of his tenantry, and he got what they could afford to pay over and above their own living; rents in the fourteenth and earlier part of the fifteenth century were exceedingly low<sup>2</sup>. But so soon as men recognised the profitableness of sheep farming, in the changed circumstances of rural districts, rent was charged for the use of the land, to whatever purpose it was applied; rents were raised with great rapidity, as the tenant had to pay a sum equivalent to the utility of his holding as part of a large pasture farm. Once more the consideration of the personal condition of the tenant falls into the background, and attention is fixed on the utility and worth of the holding under a system of competition rents.

*Usury.* In the same sort of way the old objection to usury broke down because men came to look at the matter in a new way. In the middle ages attention had been riveted on the personal needs of the borrower, and had condemned those who took advantage of his folly or his necessity; but in the fifteenth century men were awaking to the use which might be made of their stored up wealth for industrial as well as commercial purposes, and the formation of 'capital' was beginning. Of course every craftsman must have had his stock in trade of materials and tools as well as food and clothes; he must have had the means of waiting till his work was completed as well as the means of working. But by capital we habitually mean far more than this: we mean a store of wealth which can be directed into new and more profitable channels as occasion arises. Stock in trade is fixed and cannot be readily diverted from one channel of production to another; capital is to some extent fluid—always

*Capital.*

<sup>1</sup> Frequent and substantial remissions of rent are noticeable in manorial records in the fourteenth century, e.g. at Preston in Kent on account of the mildew on wheat. Camb. Univ. Lib. *Dd. iii.*, 58 f., 141. Also on account of a murrain. *Ibid. f.* 148.

<sup>2</sup> Thorold Rogers, *Agriculture and Prices*, iv. 68, 128. Denton, *Fifteenth Century*, 147.

being consumed and replaced, and so far changing its form <sup>A.D. 1877</sup>  
 that it is capable of transfer from one kind of production to  
 another. As each man began gathering wealth—and the  
 enterprising man had more opportunities of doing so—he did  
 not necessarily increase his own stock in trade, and he was  
 not contented to hoard it; he tried to embark in any profit-  
 able investment; it seems that there were such opportunities  
 for the profitable use of money at the close of the fifteenth  
 and beginning of the sixteenth centuries, that money was not  
 so much hoarded—perhaps even that hoards were broken up<sup>1</sup>  
 —and that the coinage circulated more rapidly. But such  
 investors, dealing as they did for the most part with  
 prosperous city men, felt no call to consider the personal  
 condition of the borrower, as long as the security was good;  
 for he seemed well able to look after himself. The one  
 important point on which they insisted was that their wealth  
 was of use in industry or commerce, and that they could be  
 paid by men who wished to have it to use.

131. Mediæval economy with its constant regard to the *relations of persons* was giving place to modern economy which treats the *exchange of things* as fundamental; and this has introduced an extraordinary simplification in the structure of society; the whole of the complicated industrial organisations of the middle ages have passed away, and the strong *esprit-de-corpse*, which gave so much healthy life in many cities<sup>2</sup>, has alike disappeared. Economically we have only three broad divisions in society, for men arrange themselves according to the things they own and exchange; they may exchange their labour for wages, or they may exchange the use of their capital for interest, or they may exchange the use of their land for rent. In modern societies Labourers, Capitalists and Landlords are the three classes which group themselves round the possession of the power to labour,

<sup>1</sup> "He (Enterprise) will promise you to wante noe treasour to performe your purpose, for he will saie some of the clergie will comforte you righte well and lardgile with money for they have looked therfore many a daye. The merchants, the ffarmours, the grasiere that be rich, into this market will bring their bags that they have kept soe long. And as for the widows and the wyves also they will ransacke their forcers [chests] and their knotted cloutes to the last penny they can finde." Dudley, *Tree of Commonwealth*, 52.

<sup>2</sup> Riehl, *Deutsche Arbeit*, 28.

A.D. 1277  
—1485. the possession of wealth and the possession of land. This is the social structure we habitually assume, but it is strangely unlike the municipal and manorial life it has superseded.

*Individual ambition.* The change which has so altered the structure of society has also affected the individuals who compose it; the old burghers society has doubtless been idealised to an absurd extent; but it had this striking characteristic, that the ordinary object of ambition was not so much that of rising out of one's grade, but of standing well in that grade; the citizen did not aim at being a knight, but at being warden and master of his gild, or alderman and mayor of his town. For good or for evil we have but little sympathy with these humble ambitions; everyone desires to rise in the world himself, and the philanthropic construct social ladders by which the poorest child may rise to the highest rank, as was done by ecclesiastics in the middle ages. And with this changed social structure, and changed social ambition, money has come to have a new importance for the individual who possesses it. In the older days coinage had given a unit for the comparison of one ware with another; but it was not an object which men were likely to seek after, except in so far as they desired to lay by for a rainy day. If they had large sums at command they could not invest them; and so far as the greater part of the population were concerned, their food and clothing was practically determined by their status in the social system. So long as prices were arranged by calculation, there must have been comparatively little variation in the real reward which a man got for his labour; and while payments were partly made in kind, attention was not directed forcibly to money as a purchasing power. But with competition prices all this changed; the amount of comforts a man could obtain depended not on the regulations of his gild, but on the purchasing power of the money he obtained by the sale of his wares. It was no longer a mere matter of importance to regulate the coinage, and thus have a definite unit for the comparison of wares; money had come to be a thing for which everyone sought, not exactly for its own sake, but because of its *purchasing power*; it was a convenient representative of all other objects of wealth, and

as such a thing of which each man desired to have as much A.D. 1377 as possible<sup>1</sup>. From this time forward the *desire of wealth* as <sup>1485.</sup> *The desire* of wealth the means of gratifying the desire of social distinction and all else, became a much more important factor in economic affairs than it had been before.

132. These changes had a very important bearing on all *Morality* questions of commercial morality; so long as economic dealings were based on a system of personal relationships they all had an implied moral character. To supply a bad article was morally wrong, to demand excessive payment for goods or for labour was extortion, and the right or wrong of every transaction was easily understood; but when all dealings are considered as so many cases of exchange in an open market, the case is different. No compulsion was put upon either party to the exchange, and if they came badly off it might be regarded as their fault or their misfortune; but it was not always easy to say that the other party to the transaction was to blame. In every case of exchange one party has an advantage; he may have superior knowledge, or he may be less anxious to come to terms and he can therefore afford to wait; in either case he is able to drive the better bargain. *of driving bargains.* There are extreme limits which define whether any transaction shall take place or no, and though the advantage which accrues within these limits is not often equally divided, there is no apparent moral wrong in taking full advantage of the power of driving a good bargain under conditions of free competition. In many cases the weaker have gone to the wall; and some writers have even formulated an iron law of wages which states the existence of an irresistible tendency on the part of the employer to drive down the labourer. But though this appears to be a decided overstatement, the fact remains that there is really no means of applying moral judgment to economic affairs at present; 'supply and demand' are taken as ultimate; and so long as transactions are above-board and in accordance with market rates, the ordinary nineteenth century conscience is unable to go behind these circumstances and discuss how far they are right or wrong.

Once again the existence of the gild system demonstrates

<sup>1</sup> Ratzinger, *Volkswirtschaft*, 296.

A.D. 1377  
—1485.  
*The guilds  
are  
responsible  
for wrong.*

how entirely the mediæval feeling differed in this matter; it is often spoken of as a police system, and it was a police system because it served the purpose of bringing home the responsibility for every mischief and scandal to some one or other. The city authorities looked to the wardens of each craft to keep the men under their charge in order; and thus for every public scandal, or underhand attempt to cheat, some one was responsible, and the responsibility could generally speaking be brought home to the right person. In the great social difficulties of modern times all this is altered; all deplore the evils of the sweating system, but the blame cannot be brought home. Thought and opinion on economic subjects do not now attempt to offer decided moral judgments. Political Economy explains what tends to happen, but declines to decide what ought to be done at any juncture; it professes to be non-moral. And hence modern ways of thinking about business transactions were very shocking to the ordinary conscience when they were first propounded. The immorality of rent enhancers<sup>1</sup> and others who only thought of their own private gain was a favourite topic for preachers in Reformation times: and though their language has been re-echoed during recent agitations the ordinary modern reader is out of sympathy with their denunciations of many practices which he takes as a mere matter of course.

*National  
power*

133. While the structure of society was being recast, and the recognised principles of economic morality were only derided, there seemed to be the moral chaos; but there was one factor which was strong enough to reduce the anarchy to order again; men were forced in their dealings to have a due regard to the *power of the state*; this is the central idea in the commercial systems of the Reformation and post-Reformation periods.

<sup>1</sup> "You landlords, you rent raisers, I may say you step-lords, you unnatural lords, you have for your possessions yearly too much. For that here before went for twenty or forty pounds by year (which is an honest portion to be had gratis in one lordship of another man's sweat and labour) now is let for fifty or a hundred pounds a year." *Latimer's Sermons* (Parker Society), p. 99. "Let these terrible examples suffice at this present to teach and admonish the enhancer of rents." *Ibid.* p. 109. See also Thomas Becon, *Catechism*, &c. (Parker Society), 599.

For similar expressions of opinion by German reformers see Schmoller in *Zeitschrift für gesam. Staatswissenschaft*, xvi. 461.

Hitherto we have seen it come into play as limiting and A.D. 1377  
 restricting particular changes which seemed to be fraught <sup>—1486.</sup>  
 with danger. The power of the nation was affected by the use of foreign shipping, and therefore native vessels were to be preferred; so too the export of bullion was prohibited as it led to the impoverishment of the realm. The importation which interfered with the employment of the people, the woolgrowing and clothmaking which threatened the food supply, and the unthrifty games which interfered with their military training were all authoritatively checked: but as time passed on, the desire of advancing the national power came to be much more powerful; it was the ruling ambition, and the whole commercial and agricultural system was formed on this basis. As it came gradually into clear consciousness, it became not a restrictive and limiting but a formative force, and under its guidance commercial enterprise and industrial skill were stimulated, while they were combined into a great national economic system.

National ambition could hardly come to be the guiding principle in industry and commerce, while municipal life was at its best; the enthusiasm of the mediæval merchant did not go far beyond the advance of his own town in wealth and dignity. Under this limited impulse the Italian cities attained a high degree of wealth and power, and the monuments of their mediæval splendour are still a glory to the world<sup>1</sup>. In England this feeling was less potent than elsewhere; the work of William I. and Edward I. had laid the foundations of a true national life; even in England however the great centres of wealth were municipal in their feeling and ambitions in the fourteenth century at all events<sup>2</sup>. But the decay of municipal institutions in the fifteenth century must have done much to check this ancient spirit, and to sap the old burgess ambitions, while the long war with France called

*Municipal  
spirit and  
patriotism.*

<sup>1</sup> The enthusiasm for their city was perhaps stronger in Venice than elsewhere (Oliphant, *Makers of Venice*, c. 1), though the jealousy of other Italian cities was felt in each of them.

<sup>2</sup> The Merchant Adventurers and some of the other fifteenth century companies though chiefly composed of Londoners were really national institutions. Gross, *Gild Merchant*, I. 151.

A.D. 1377  
—1485. forth a new sense of national unity<sup>1</sup>, and a pride in England as a country. This is strongly reflected in the literature of the time especially in that curious work the *Debate of the Heralds*<sup>2</sup> which, fashioned as it apparently was on a real incident<sup>3</sup>, puts before us the points of which the English were wont to boast<sup>4</sup>. The claim that they were "more richly and amply provided with ships than any other nation of Christendom" was 'one plain lie to begin with': the French Herald did not contest the point so forcibly as he might have done<sup>5</sup>, though he accused the English of merely using their ships to plunder the commerce of others; the English Herald extols the national policy by which the English "cunningly withdraw and bring to their own countries the money of the neighbouring countries", and he speaks of the great quantities of cloth exposed for sale at Calais and the number of large and populous villages<sup>6</sup>. Sir John Fortescue's *Commodities of England*<sup>7</sup> might almost appear to be intended as an answer to this tract, but it was written some years earlier; it enumerates the rivers, havens, and so forth, the "woollen cloth ready made at all times to serve the merchants of any two kingdoms, Christian or heathen," and lays claim to the greatest treasure in the world, that is gold and silver ore, "whereof Englishmen had the worthiest payment passing any land, Christian or heathen." But it is against France that he draws unfavourable comparisons with most gusto; their havens never had any navy of ships and never shall have, but only a

<sup>1</sup> On the growth of nationalities in Europe at this time see R. Pauli, *Rosenkriege in Hansische Geschichtsblätter*. (1874), p. 78.

<sup>2</sup> Written by Charles, Duke of Orleans, 1458—1461.

<sup>3</sup> The dispute at the Council of Constance in 1416 as to whether England should form a distinct nation. Pyne, *England and France*, p. xii.

<sup>4</sup> Pyne, p. 89.

<sup>5</sup> As Sir Thomas More said of another assertion, which seems to have taken its rise from these Debates, that there were 52,000 parishes in England. Pyne, op. cit. xvii. note. More, *Supplication of Souls*, in *Works*, p. 232.

<sup>6</sup> Compare the complaint in parliament in 1444. And also atte that tyme more pleinte of Shyppes and other Nave in this Reaume of Ingelonde by the half thanne is now, as it apperith opeynly to every man by experience; the which was in the dayes gret plesur to all estates and degreeez, grete richesse, and by the myght of such Nave gret defence for all this londe, and grete fere to all thayme that ben Ennemyes to this lond. *Rot. Parl.* v. 118. Schanz, i. 368.

<sup>7</sup> Pyne, p. 67.

<sup>8</sup> Pyne, pp. 61, 62.

<sup>9</sup> *The works of Sir J. Fortescue* edited by Ld. Clement, i. 551.

few ships of war that can do us no harm, while we on the <sup>A.D. 1377</sup>  
 other hand cannot do them much harm, for they have very <sup>—1486.</sup>  
 little maritime trade with other countries. The *Libelle of English Polycye*, already quoted, is full of a similar spirit of <sup>Libelle of English Polycye.</sup>  
 national ambition; and this conscious desire of national power  
 was the element that was needed to bring all the isolated  
 experiments in mercantile legislation together and form them  
 into a complete system. Other nations were taking up the  
 same ideas and Charles V. is generally spoken of as the man  
 who created this mercantile policy<sup>1</sup>; but he was certainly  
 anticipated by Fernando of Portugal<sup>2</sup>; and, as we have seen, <sup>A.D. 1367.</sup>  
 English commerce had long been affected by similar principles. So far as England is concerned and with regard to  
 her insular position we may state the main lines of policy  
 thus,—to obtain power, we needed (i) Shipping, (ii) Treasure,  
 which came by commerce, while within we had to attend to  
 (iii) the Food Supply which gave the means of maintaining a  
 vigorous Population. All the galling interference with private  
 interests which Adam Smith condemned, and which move  
 us to wonder, were directly connected with one or other of  
 these objects, and hence had their ultimate justification in a  
 desire to promote the power of the nation.

When this aim was consciously and persistently pursued <sup>Plenty v. Power.</sup>  
 as the main end of mercantile regulations there was an  
 entire reversal of the principles which had actuated such  
 a ruler as Edward III.: and the first signs of tentative efforts  
 in the new direction may be found in the complaints of the  
 Good Parliament and the Statutes of Richard II. Edward  
 had legislated in the interests of the consumers and with the  
 view of providing *plenty*; the parliaments of Richard II. took  
 another turn, and insisted on introducing conditions which  
 eventually favoured the growth of English *power*, as they  
 were worked out in subsequent centuries. It is only when  
 we cast our eyes forward that we see the full importance  
 of the changes which were urged in the Good Parliament and  
 carried out in Richard's reign, and that they really laid the  
 foundations of the famous mercantile system.

<sup>1</sup> Blanqui, *History of Political Economy*, 213.

<sup>2</sup> Schanz, I. 358. See also for a later period, Heyd, II. 511.

A.D. 1877  
—1485.  
*The  
mercantile  
system.*

The encouragement of natives and discouragement of foreigners, the development of shipping, and the amassing of treasure—these were the three main points of the mercantile programme, and they were all deliberately adopted by the parliaments of Richard II., who deliberately rejected the opposite policy which had been pursued in each of these particulars by Edward III. The scheme for commerce which they adopted directly favoured the immediate interests of English merchants, while it had obviously grown out of the antipathy to the upland man and the stranger, which characterised the householders of chartered towns. But the rise of nationalities and the increasing bitterness of national rivalries, the discoveries of the New World and the struggle for the possession of its treasures, brought about, in the sixteenth and seventeenth centuries, political conditions which were favourable to the detailed development of the mercantile system, though the main lines of it had been laid down long before.

*Turning-  
points.*

When Lord Bacon in a well-known passage remarks that Henry VII. bowed the ancient policy of this realm “from consideration of plenty to consideration of power<sup>1</sup>” he calls attention to the leading characteristic of the commercial action of the Tudor kings; but it was not they who made the change, it really occurred when the City merchants had attained such an influence that they were able to give effect to their own ideas. To some extent, plenty is a condition of power, and the two policies may have much in common; but, whereas Edward III. desired to see large cargoes, whoever brought them, i.e. plenty, the Ricardian Parliament desired to have more English ships, even if the home consumers were for a time badly supplied with wine. The distinction may become clearer for us if we take a modern analogue. In this very century we have discarded the policy on which the Parliament of Richard II. entered; we no longer seek power, but plenty. The corn laws were intended to keep up our home food-supply, and thus to give us strength. We have repealed them that corn might be cheap, aiming at plenty, not at power; the navigation laws have disappeared, and we

<sup>1</sup> Bacon, *Hist. Henry VII.*; *Works*, vi. 95.

are inclined to favour rapid and frequent communications A.D. 1877  
with lands differently conditioned from our own, so that each —1465.  
may be plentifully supplied, though this interdependence may prove a source of weakness. While questions of currency, and especially those connected with a double standard, are felt to be of overwhelming importance, no serious effort is now made to amass treasure as a source of political strength. In fact, we have reverted to the commercial policy of Edward III., a policy framed in the interest of the consumer; a policy which depended for its assured success on the maintenance of stable political relationships with other regions. There are great differences of course: the consumers of foreign produce in Edward's time were the comfortable classes who drank wine, not the masses who needed bread; the area within which the exchange took place was most limited, now it is world wide; none the less is it true that Cobden has turned the policy of this realm back from considerations of power to considerations of plenty, and we have thus reverted in this nineteenth century to a line which bears a closer analogy to the policy of Edward III. than it does to the scheme which has been on the whole dominant since his time.

## V. THE TUDORS.

### I) PRELIMINARY SURVEY.

**A.D. 1485  
—1558.**  
*New  
discoveries*  
*and new  
routes for  
trade with  
the East.*

134. THE great discoveries of the last decades of the fifteenth century effected a revolution in the whole trade of the world, for they opened communications between the most distant parts, and thus laid the foundations for the great international commerce of present times. Mediæval trade centred, as earlier European trade had done, in the cities of the Mediterranean; there were streams of traffic by the Russian rivers and the Danube, which led towards the Baltic and to South Germany, but the great centres of commerce and industry were on the shores of the Mediterranean; the citizens of Genoa and Venice were the chief agents in carrying on the traffic between East and West. But when the Cape of Good Hope was successfully rounded by the Portuguese, an entirely new prospect was opened to European traders; they could make their way to India direct, instead of submitting to the exactions of intermediaries in Alexandria and elsewhere; the great stream of commerce between East and West was at once directed from the Levant to the Atlantic, and the Portuguese became for a time the chief trading people of the world. Partly at all events in the hope of sharing in this lucrative trade, Columbus planned the voyages which led him to the West India Islands, and Cabot found his way to the coast of North America. A later Portuguese expedition to the East was driven by contrary

winds far out of its course, and this led to the discovery of A.D. 1485 Brazil; and from this time onwards Lisbon bore away the palm from the Italian cities and became the great commercial dépôt for Western Europe<sup>1</sup>.

Henry VII. was too parsimonious to seize the opportunities which were offered him and to take a leading part in this age of discovery<sup>2</sup>; perhaps the English commercial empire was all the stronger because it grew so slowly; the immediate effects on English commerce were small, but none the less the events of this time really form the great epoch in English commercial history. Far from the Mediterranean, English merchants had taken little part in the trade of the world; they sold English products and catered for English tastes, but they had not had any opportunity of acting as intermediaries and carrying goods to their own dépôts to be distributed thence to other nations. From the Tudor times onwards English trade assumed this character, and with ever increasing success; in the present day by far the larger part of the trade of the world is carried on in English ships, and London is a dépôt for the trade of all nations. England had only been on a side eddy before, but the discoveries of the fifteenth century placed her on the main stream; and though the immediate results were small, English enterprise took a new character with most far-reaching effects.

The change lies far deeper than any mere modification of the political life of the country, for it affected the world as a whole, and England as one of the family of nations arising in Christendom; it is a striking instance of the sudden removal of a limit imposed by physical conditions, and of the extraordinary advance which enterprise is ready to make when thus set free. It has no parallel but in the mechanical inventions of the last hundred years; in both cases advancing knowledge removed barriers which seemed to be insuperable. The limit lay of course, as always, not in any material obstacle which was removed by some physical change, but in the want of knowledge and skill which at length enabled men to grapple with the difficulty and overcome it. There

<sup>1</sup> Heyd, n. 511.

<sup>2</sup> Bacon, *Henry VII.* (Spedding), vi. 197.

A.D. 1492  
—1558. is no absolute limit to the advance which man may ultimately make ; though there is in every age a relative limit, not set by physical nature, but corresponding to the limitations of human skill and energy at that time. Nor do we sufficiently honour the names of those pioneers of invention and discovery, whose skill or patience or daring enabled them to overleap barriers which all former generations had found insuperable, and by so doing to break them down for all posterity ; the name of Columbus is known to all, but "some there be which have no memorial." Those who deprecate hero worship assure us that the "spirit of discovery was in the air" and that Columbus was only the "embodiment of the spirit of his age." He certainly did not embody the spirit of any other ages than his own ; if he had done so he would have been a far less important personage for practical life ; only in literary circles is there much interest in such anachronisms. His greatness simply consists in the fact that he did embody the spirit of his age, and that through his energy the floating speculations of many took definite shape and were brought to a successful issue.

*Geographi-  
cal know-  
ledge.*

The revolution which occurred at this time was of such immense importance that it is worth while to indicate very briefly some of the steps which led up to it. The travels of Sir John Mandeville and the Venetian Marco Polo had aroused a great deal of interest, and those who had been at most pains to enquire about Eastern countries were of opinion that Cathay might be approached from the west ; the Florentine Paolo Toscanelli (born in 1397) had drawn a map of the world in which this is suggested, and sent it to Portugal ; Columbus entered into correspondence with him and procured a copy of his map in 1474<sup>1</sup>. Still more curious is the globe made in 1492 by Martin Behaim of Nurnberg, who had lived for many years at the Azores and made voyages from them ; it represents Cathay as only 100° westward of the Azores<sup>2</sup>. As Behaim spent the later part of his life in Lisbon he may have been in communication with Columbus, though there is no proof of any connexion.

<sup>1</sup> Peichel, *Geschichte des Zeitalters der Entdeckungen*, 110.

<sup>2</sup> Kiesselbach, *Der Gang des Welthandels*, 818.

The tradition of the success attending the voyages of A.D. 1485 the Norsemen to Vynland must have been well known to <sup>—1558.</sup> Columbus, as he spent some little time at Bristol, and sailed <sup>Previous voyages.</sup> thence to Iceland<sup>1</sup>. His residence in that town cannot but have stimulated his interest in possible discoveries, as such projects seem to have met with much support from the merchants there; he may have met the great John Cabot—a native of his own town of Genoa, but a Venetian citizen—who was to rival his own fame as a discoverer of America<sup>2</sup>. There had been previous attempts which had ended in failure indeed; as in 1291 when the Genoese Theodosius Doria and Ugolino Vivaldo set out with two vessels through the Straits of Gibraltar on a voyage of discovery westwards<sup>3</sup> from which they never returned; and again in 1480, when two ships set out from Bristol, in quest of the island of Brazil<sup>4</sup>, but after a two months' voyage they returned to take shelter in an Irish harbour.

There were however distinct commercial objects which rendered the views of Columbus attractive, and which afforded the discoverers plenty of support, so soon as it became quite clear that their scheme was at all practicable. The gradual <sup>The old routes of trade closed.</sup> advance of the Turks had seriously interfered with commerce between East and West. The Venetians were able to maintain their trading stations in the Bosphorus after the invasion of the Turks and the Egyptian route was still available, though the Tartars had rendered the northern line of traffic impracticable. But not only were Europeans forced within narrower limits but their transactions were hampered with very heavy dues. Worse than this was in store for them; in 1471 Kaffa was attacked and 70,000 Christians were carried off as slaves; the islands of the Archipelago and Levant had to be abandoned; nothing was left but the Egyptian trade, and since that could not be regarded as secure, there was the keenest desire on the part of traders to open up a new commercial route with the East.

<sup>1</sup> Peschel, op. cit. 101.

<sup>2</sup> F. v. Hellwald, *Sebastian Cabot*, 7. Virchow and Holtzendorff's *Sammlung*, vi. Heft 124.

<sup>3</sup> Kieselbach, op. cit. 808. Heyd, II. 148.

<sup>4</sup> William of Worcester, *Itinerary* (Dallaway), 158.

A.D. 1485—1558. *Portuguese enterprise. Africa.* The Portuguese<sup>1</sup>, who had already established themselves in the Azores and Madeira, were gradually pushing their discoveries and trade along the coast of Africa, and reached the Equator in 1481. They were also acquainted with the products which came by caravan to Morocco, and in 1445 Fernandez was despatched to the desert to make inquiries about the trading prospects. Even before this time however geographers had represented Africa as a peninsula, and there is no doubt that the Portuguese were really aiming at finding a route to India in these expeditions<sup>2</sup>. Another explorer Pedro de Covilham with Affonso de Payva was sent out to India.

A.D. 1487. India by the Egyptian route ; he visited the Malabar coast, and the Persian Gulf ; returning to Aden, he wrote a full account of his journeys to Portugal and gave much information about the African coast as far south as Madagascar. It was plain to his mind that ships might find their way past Guinea to the east coast of Africa and to India<sup>3</sup> ; he himself started on an expedition to Abyssinia from which he never returned, though his letters bore out in the most curious way the expectations that were raised by the success of Diaz in rounding the Cape of Good Hope. But it was not till some years later that an expedition was sent out to try the new route, and Vasco di Gama anchored with his four ships at Calicut in May 1498. From that time onwards King Manuel sent out fleet after fleet in rapid succession, impressed the native princes with his power, and established strong factories for trade. Despite the indignant efforts of the Venetians to use Arabian influence to oust the Portuguese from the East, they made good their footing ; African gold and Indian spices were obtained in greater abundance than ever before, and the Levantine trade with the East was destroyed<sup>4</sup>. The greater part of the trade was carried on in royal ships, though the king allowed Florentine vessels to accompany them on some occasions ; but he deliberately planned that the whole trade should flow through Lisbon,

*The Portuguese and the Venetians.*

<sup>1</sup> Kiesselbach, 804.

<sup>2</sup> Peschel, *Zeitalter der Entdeckungen*, chapter III., especially pp. 71—78.

<sup>3</sup> Heyd, II. 506.

<sup>4</sup> In 1503 pepper was brought to England in Portuguese ships, and we were no longer dependent on the Venetian supply. Heyd, II. 526.

and that the monopoly for Indian spices in Europe should be A.D. 1485 in his hands<sup>1</sup>. A new incentive was now given to the exploring expeditions of other peoples, for they hoped to find out some new routes by the west, which might break down the Portuguese monopoly, and Englishmen were specially haunted by the ambition of discovering a north-west passage.

135. Before this great commercial revolution, industry *Material prosperity* and commerce had been considered almost entirely with reference to the internal condition of the country; commercial policy was affected by the facilities for collecting and the prospect of increasing customs, and the expectation of providing plenty, and later of securing employment for the people. Local interests had fallen more and more into the background, and parliament legislated for the prosperity of England as a whole; but at length they came to see that if this was to be preserved, they must take a still wider survey. We have *and national ambition.* already traced the growth of the idea of a national interest, and in modern times this conception was consciously grasped and dominated all commercial policy. Our statesmen considered the condition and progress of England not by itself but relatively to that of other nations; what they sought was not mere progress within their own land, but they wished to prosper relatively to other nations. They were not satisfied to aim at maintaining some standard of comfort, they desired *Relative superiority.* to hold their own among the peoples of the world. In fact the object of their ambition was to increase the power of the nation, and greater power implies a greater relative advance; greater power could be obtained by inflicting loss on others as well as by attaining positive gain for England; it has distinct reference to a relative condition. If we discuss whether England is a more powerful maritime realm now than ten years ago, we must consider not merely what the fleet was and is, but what other fleets were and are; we may have bigger ships and better armed, but we are not stronger for offence and defence if we have merely considered the excellence, and not the relative superiority of our own navy. The one leading idea of policy which caused so much national

<sup>1</sup> Heyd, II. 525.

*47. 1585-1598*  
rivalry, and led statesmen to attach so much importance to the maintenance of the 'balance' in Europe, was this aspiration after national power, or relative superiority.

*Desire of  
national  
power*  
It was brought out into stronger relief by the rise of other nationalities in Europe,—the consolidation of Spain under Ferdinand and Isabella, and the recovering strength of the French monarchy; but also by the great struggles which occupied the sixteenth century. The division of Europe in regard to the papal pretensions, the religious passions which they called into being, and the eager desire to partake in the expected treasure of the New World, aroused the bitterest feelings of jealousy between rival nations.

*Subordination  
of private  
gain to  
public  
good.*  
The keen national feeling which was thus evoked, and the desire to strengthen the power of England against all her rivals, affected the commercial and industrial legislation in every particular; on every hand private tastes and personal convenience had to give way to the patriotic duty of strengthening the nation. It was thus that men were required by law to eat fish all through Lent and twice a week throughout the year; they might not like fish, but by buying it they helped to encourage fishermen and thus indirectly to keep up a school for seamanship. Time-honoured sentiment had preferred that the dead should be wrapped in linen, but public policy demanded that this sentiment should be set aside and that woollen should be used. And as in these matters, so in everything else; current opinion demanded that private interest should be set aside, at once, in favour of an apparent public gain. How far the gain which accrued to the power of the country was real may be discussed below; that there was a distinct loss to individuals from the enactments no one would have denied. It was admitted that the planters were hampered by the navigation acts, and the Englishmen who had established grazing farms in Ireland suffered from the laws against importing cattle; there was a loss of their wealth, and a decrease of the aggregate wealth to that extent. This was obvious long before the time of Adam Smith, but parliament had no scruple in doing these injuries, because they believed, rightly or wrongly, that it was necessary to sacrifice the interests of some individuals

for the sake of increasing the shipping and maintaining the <sup>A.D. 1485</sup> ~~wealth which was available for national defence~~ <sup>—1568.</sup> They may have been right or may have been wrong; in some matters they certainly made grave errors of judgment, but they were not ignorant of the bearing of the policy they pursued. Public sentiment has changed so much in regard to this matter that it is very difficult for us to understand the attitude which was generally taken in the sixteenth century on this matter; the one reiterated complaint which we meet with on all sides is that men were seeking their private lucre and singular advantage, without having due care for the prosperity of the community. Artisans who withdrew from the pressure of burgh rates and the restrictions of craft gilds, landlords who raised their rents, miners who did their work in the easiest way<sup>1</sup>, capitalists who asked for a definite return on their capital, were all branded as the victims of covetousness, not merely by preachers and writers, but in public documents.

The politicians of the sixteenth, seventeenth and greater <sup>Mercantile</sup> part of the eighteenth century were agreed in trying to <sup>policy.</sup>

<sup>1</sup> A petition was made in 1532 about the harbours of Plymouth, Dartmouth, Fowey and Falmouth. That where the said Portes have byn in tyme past the principall and most commodious havens and portes within this Realme, for the rode, suertie and preservacion of Shippes, resorting from all places of the World, aswell in perill of Stormes as otherwise; For where before this tyme all manner of Shippes beyng under the portages of viii. C. tonnes resorting to any of the saide portes or havens myght at the lowe water easely entre into the same and there lie in suertie what wynde or tempest soever dyd blowe, By reason wherof not only a greate multitude of Shippes as well of this Realme as of other Regions and Countreis before this tyme have been preserved and saved, but also in tyme of warre the said havens and portes have been the greatest fortification of that partie of this Realme and the speciaill preservacion of the great partie of the Navie of the same, Which said portes and havens ben at this present tyme in manner utterly decayed and destroied by means of certain Tynne workes called Strene workes used by certain personnes within the said Countreis which personnes more regarding their own private lucre than the commonwelthe and suertie of this Realme have by working of the said Strene workes digging, serching, washing of the same nere unto the fresshe rivers, waters and lowe places dissending and comming oute of the londe towards and into the saide portes of the sea, conveyed sand, gravel and rubbish which filled up the havens so that a ship of 100 tons could hardly enter at half flood. Tinners were to have "sufficient hatches and ties in the end of their buddels," and thus keep the sand from being waashed away by the streams. 23 H. VIII. c. 8. The italicised passages are instructive; in this century we should be afraid of hampering industry and would be likely to let the tinners do their worst and then try to dredge out the gravel from the Harbours.

A.D. 1485  
—1558. regulate all commerce and industry so that the power of England relatively to other nations might be promoted, and in carrying out this aim they had no scruple in trampling on private interests of every kind. The main principles of the scheme of policy which dominated in England during this long period have been sketched above, but it may be convenient to repeat them a little more fully, as they furnish the framework on which the facts of the succeeding periods in the national life may be most clearly exhibited.

*Power as dependent on* Power depends on (a) the accumulation of Treasure, (b) the development of Shipping, and (c) the maintenance of an effective Population.

*Treasure.* (a) The accumulation of Treasure in a country which has no mines depends on the proper management of commerce, whether by ~~or~~ making regulations for the flow of the precious metals and the exchanges, or ~~or~~ by making regulations for the export and import of commodities. In this view the volume of transactions is much less important as a sign of prosperity than the nature<sup>1</sup> of the trade that is being carried on.

*Shipping.* (b) A strong navy was obviously a great means for defence, and for this purpose it was desirable to encourage the employment of English ships; hence we have a whole series of navigation acts, while attention was also directed to measures for procuring the materials for ship-building and necessary naval stores. It was also felt to be a matter of the first importance that we should encourage the fishing trade, as that was the best school for seamen.

Subject to the restrictions about the kind of trade and its bearing on treasure, the increase of the volume of trade was important as it not only gave a larger sum in customs but also stimulated the development of shipping. Hence there was a preference for distant trade over coasting trade, as it gave more employment to ships, while the commodities of distant lands were often things that could not be produced at home. On the other hand the planting of new trades in England, the development of our industry, and the reten-

<sup>1</sup> Thus in the controversies at the beginning of the eighteenth century the trade with France was constantly spoken of as a 'losing' trade.

tion of all the arts in which we excelled, enabled us to A.D. 1485 dispense with purchases from rival lands and gave us more products which we might sell in the markets we frequented. This also tended to give employment to our own people and so to maintain an effective population. Hence arose all the regulation of industry, though it did not itself directly promote power, since it could be so managed as to give a stimulus to the accumulation of treasure, and the development of commerce as well as favourable conditions for the population.

(c) This last object depended most immediately and *Popula-  
tion.* directly on the food supply. Sufficient corn could be most easily secured by the encouragement of tillage, though the fisheries were also an important source of supply; tillage also gave the kind of employment which was most favourable for the maintenance of a healthy and vigorous race, accustomed to outdoor sports and the best material for forming a military force.

The end in view was Power; this was furthered by attention to Treasure, Shipping and Population; while these objects could only be attained by the careful regulation of Industry and Tillage. Such in brief is the *rationale* of the so-called Mercantile System, which had been gradually coming into operation since the time of Richard II., and which survived with much vigour in some of its parts till Cobden A.D. 1846. and Bright completed the revolution in English policy.

The long period when these principles of commercial policy dominated in England, must of course be divided according to political considerations; but here again there is a difference from the periods we have already reviewed. Since shipping and treasure, as the handmaids of power, have become the main objects of importance, we are compelled to look, not so much at the main changes in constitutional structure, but at the changes in political relations. It has been noted above that the personal character of the monarch was in Norman times, one of the most important factors in industrial life and progress during his reign<sup>1</sup>, but the changes from Elizabeth to the Stuarts, from the personal government *Political  
relations-  
ships.* of Charles to the Commonwealth, or at the Restoration, made

<sup>1</sup> See above, p. 181.

A.D. 1485  
—1558. very little difference in industrial affairs ; a similar system of policy was carried out, with more or less skill, and more or less success, through all these sweeping constitutional changes ; their chief effect lay in altering our political and trading relationships with other nations. Hence the epochs which form the most convenient divisions of the history of the Mercantile System in England will be found in the accession of Elizabeth, and entire breach with the rulers of Flanders ; the accession and fall of the Stuarts, coinciding with the period of bitter rivalry with the Dutch ; the Revolution, marking the beginning of the life and death struggle with the French for supremacy in the East and in the West ; and the revolt of the American colonies, which was the beginning of the end. From that time onwards we can trace the steady and rapid decline of the system which had held sway so long.

## II. ACCELERATED RATE OF CHANGE.

*The balance of power.* 136. The views and schemes above described were slowly coming into operation much more clearly than they had done during the fifteenth century. From the accession of the Tudors onwards we hardly hear of serious attempts on the part of English kings to acquire great continental possessions,—not because they were less powerful than their predecessors, nor certainly because they were less ambitious, but because their ambition took a new form. They felt that it might be possible to exercise a practical sway over the affairs of Europe by holding the balance between rival powers. The foreign policy of England took this shape during the time of Henry VIII.<sup>1</sup> ; and Elizabeth succeeded in playing off her angry neighbours against one another. "True it was," as Camden<sup>2</sup> said, "which one hath written, that France and Spain are as it were the Scales in the Balance of Europe, and England the Tongue or Holder of the

<sup>1</sup> On the connexion between the commercial and political theories consult Baron v. Heyking's admirable *Geschichte der Handelsbilanztheorie*.

<sup>2</sup> Camden, *Elizabeth* (1688), 228.

Balance." The ambition of an English statesman was to A.D. 1485 hold the balance, not merely to be a passive tongue that announced the relative position of the other monarchies, but an active member that could decide it.

So far as they desired to extend their power they were fired with an ambition to share in the riches of the New World; there were lands there which stretched more widely than the provinces of France and could be far more easily won. Lord Herbert of Cherbury sketches this prospect as it appeared to the more far-seeing statesmen who, in 1511, endeavoured to dissuade Henry from reviving his claim to the crown of France.

"Some yet, that did more seriously weigh the Business, reasoned thus; that the Kings Title indeed in France, especially to the Hereditary Provinces was undoubted, the Occasion fair, and many Circumstances besides conducing to this great Business: yet that all these were not sufficient for the making of a War against so potent a Neighbour, unless there were more than Possibility of effecting our Purposes. This they might consider by comparing these Times with the former. And if when all Guyenne, Anjou, Tourrain and for a long while Normandy was ours; and when besides this the Duke of Britany was our Friend, and the House of Burgundy an assured Ally and Confederate to this Kingdom, we yet could not advance our Designs in that Country, what Hope is there now to attain them? Are we stronger now than at that time? Or can we promise ourselves better Success? Let it be granted, that as many Battles as we have fought against the French have been almost so many victories, What was the Kingdom the better for them; who can say he made a fortune thereby; Had we ever a more glorious Time than that of Edward III; and was yet the Country ever more poor or weary of the Wars? If you will not believe our Histories, look even on our Records, and you will find not only how the Treasure of our Kingdom was much exhausted but even the People themselves glutted with their Prosperity? And shall we now trust to better Days? What though with over 12,000 or 15,000 we have oft defeated their Armies of 50,000 or 60,000? Stands it with Reason of War to expect

A.D. 1485 the like success still? especially since the Use of Arms is changed, and for the Bow, proper for men of our Strength, the Calaveer begins to be generally received. Which besides that it is a more costly Weapon, requireth a long Practice and may be managed by the weaker Sort. Let us therefore in Gods name leave off our attempts against the *Terra firma*. The natural Situation of Islands seems not to sort with Conquests in that Kind. England alone is a just Empire. Or when we would enlarge ourselves let it be that way we can, and to which it seems the eternal Providence hath destined us, which is by Sea. The Indies are discovered, and vast Treasure brought from thence every Day. Let us therefore bend our Endeavours thitherward, and if the Spaniards or Portuguese suffer us not to join with them there will be yet Region enough for all to enjoy. Neither will a piety equal to that of succouring Julius II.<sup>1</sup> be wanting, since by converting those Infidels to the Christian Religion, there will be a larger field opened for doing of Good, than by establishing a doubtful and controverted Head<sup>2</sup> of the Church<sup>3</sup>." Whether this be a trustworthy report or not it is certainly an excellent statement of the policy which came to be more and more popular from that time onwards, and gives precision to the more general remarks which have been made above.

*The accumulation of treasure*

137. That the importance of Treasure was fully recognised appears very clearly in some words which Bacon<sup>4</sup> puts into the mouth of Cardinal Morton, as a speech to the Commons. "His Grace prays you to take into consideration matter of trade as also the manufactures of the kingdom, and to repress the barren and bastard employments of moneys to usury and unlawful exchanges, that they may be (as their natural use is) turned upon commerce, and lawful and royal trading; and likewise that our people be set on work in arts and handicrafts, that the realm may subsist more of itself, that idleness be avoided, and the

<sup>1</sup> Who was urging England to attack France and thus aid him.

<sup>2</sup> The Council of Pisa had determined to depose him.

<sup>3</sup> Lord Herbert of Cherbury, *Life and Reign of King Henry VIII.* (Ed. 1741),

p. 17.

<sup>4</sup> *History of Henry VII.* (Spedding), vi. 79. See also on p. 75, note 1.

draining out of our treasures for foreign manufactures stopped. But you are not to rest here only, but to provide further that whatsoever merchandize shall be brought in from beyond the seas may be employed upon the commodities of this land; whereby the kingdoms stock of treasure may be sure to be kept from being diminished by any overtrading<sup>1</sup> of the foreigner. And lastly because the King is well assured that you would not have him poor that wishes you rich; he doubteth not but that you will have care, as well to maintain his revenews, of customs and all other natures, as also to supply him with your loving aids, if the case shall so require....And you know well how the Kingdoms about you grow more and more in greatness, and the times are stirring, and therefore not fit to find the King with an empty purse."

To do Henry VII. justice he took great pains to provide <sup>by</sup> *Henry VII.* against this contingency; he was not always too careful as to the means he took; he was a king "that loved wealth and treasure, he could not endure to have trade sick";<sup>2</sup> but the course of trade was a slow and uncertain means of replenishing the royal coffers, and the sums that he acquired by the more rapid means of 'Morton's Fork' and the exactions of <sup>Various</sup> *exactions.* Empson and Dudley are proverbial. Perkin Warbeck's proclamation called public attention to these "extortions, the daily pillaging of the people by dismes, tasks, tallages, benevolences and other unlawful impositions"; but there was no change after the insurrection was put down; a great treasure may have seemed the best security against other pretenders. In 1497 the Milanese ambassador reported Henry

<sup>1</sup> Not outrunning his capital or credit, but "overbalancing us in trade" so as to export bullion.

<sup>2</sup> Bacon, *Henry VII.* (Spedding), vi. 172.

<sup>3</sup> He also promised to "see that the commodities of our realm be employed to the most advantage of the same, the entercourse of merchandize betwixt realm and realm to be ministered and handled as shall more be to the common weal and prosperity of our subjects." Bacon, who quoted from the original document, *Henry VII.* (Spedding), vi. 169. At the same time it is noticeable that there is far less managing of trade in the public interest than in some of the preceding reigns. The navigation laws were hardly enforced; despite the decay of tillage, there was no attempt so far as I have noticed to pass laws about the exportation of corn so as to favour the farmer. The new modes of warfare had given a special importance to bell metal and the export of it was forbidden (33 H. VIII. c. 7, 2 and 3 E. VI. c. 37), as the import of bowstaves had been encouraged in preceding reigns.

A.D. 1486 —1558. was perfectly secure, partly through his wisdom and partly on account of his treasure which was even then said to exceed 6,000,000 golden ducats and to which he was adding at the rate of 500,000 per annum; this he might easily do, for his revenue was great and real, not a mere written schedule, and his expenditure was small<sup>1</sup>. Indeed it was not till he was firmly seated on the throne that his most oppressive exactions began. "As for Empson and Dudley's mills" they did grind more and more. So that it was a thing strange to see what golden showers poured down upon the King's treasury at once. The last payments of the marriage money from Spain. The subsidy. The benevolence. The recoinage. The redemption of the city's liberties. The casualties....He needed not to make riches his glory, he did excell in so many things else; save that certainly avarice doth ever find in itself matter of ambition. Belike he thought to leave his son such a kingdom and such a mass of treasure, as he might choose his greatness where he would<sup>2</sup>." In this ambition he certainly succeeded. Henry VIII. inherited a treasure which seemed to be simply fabulous, and, whatever the total mass may have been, it would have an enormous purchasing power in the early years of the century, before the flow of silver from Potosi and the rich mines of America had begun.

Though Henry VIII. was personally extravagant and soon ran through this large sum, he had resources to draw upon which his father had left untouched. The nobles, the towns and the Cornish miners had felt the pressure of that hand; it was left for the Defender of the Faith to appropriate the lands of the monasteries, and to eke out his resources by debasing the coinage. Edward VI. continued the confiscations and the debasement. These impudent robberies served to shake the whole social fabric to its foundations, but they did not do much to replenish the royal coffers.

<sup>1</sup> Brown, *Calendar*, i. 261, No. 751.

<sup>2</sup> Their methods of misusing legal forms and penal laws for the purpose of extortion are described by Bacon, *Henry VII.* (Spedding), vi. 217.

<sup>3</sup> Bacon, *Henry VII.* (Spedding), vi. 226. Some of the chantries he founded for perpetual prayers for his soul were obtained by diverting ancient endowments to himself.

*Henry VIII.*  
*Confiscation and debasement of coinage.*

Like the Portuguese and other monarchs of the time the A.D. 1485  
 Tudors also tried to reap a direct benefit from the expanding —1558.  
 commerce of the world. Henry VII. and Elizabeth made some  
 efforts to participate in the profits, but not in the risks of  
 trading with the New World; Henry VII. was quite unsuc-  
 cessful in the attempt, and the gains of the English ships  
 upon the Spanish main in the days of the Virgin Queen did  
 not always arise from legitimate trading.

138. The Tudors thoroughly understood the possibility  
 of treasure being brought to England in the course of trade,  
 but they also realised that it could be most easily secured for  
 the use of the Crown by extortion, or confiscation or piracy. *By exac-  
 tions and  
 confisca-  
 tions*  
 The exactions of Henry VII. must have added to the  
 pressure on the citizens of corporate towns, as well as on the  
 agriculturist; industry and tillage could not revive, but the  
 scandalous confiscations of Henry VIII. and Edward VI. were  
 fatal to rural economy and disastrous to mercantile dealings.  
 The disintegration of society became complete; and the  
 institutions, which had already begun to decay, could not  
 survive the shock they then received. With some excep-  
 tions in regard to shipping, and possibly in regard to the  
 repair of the towns, there is no improvement, no reconstruc-  
 tion which can be traced to the reigns of the Tudor kings;  
 the blight which fell on England with the hundred years  
 war, was not removed when peace once more reigned. It  
 was indeed necessary that the throne should be secured from  
 pretenders and the crown strong enough to be above the  
 intrigues of king-making nobles, but the social anarchy which  
 was produced under the Tudor *régime* was a heavy price to  
 pay for the privilege of living under the tyranny of such a  
 king as Henry VIII., and of such place-hunters as Cromwell,  
 Somerset or Northumberland.

Even under the most favourable circumstances the marvel- *the  
 lous commercial expansion which followed on the discovery of  
 America would have involved rearrangement within the realm,  
 and considerable social change. Old institutions cannot readily  
 adapt themselves to changed conditions; but while better rulers  
 would have set themselves to diminish the evils and render  
 the transition as smooth as might be, the action of the Tudors  
 were ag-  
 gravated.*

A.D. 1485 tended in every way to aggravate the mischiefs. The towns  
 —1558. were decaying, and Henry VII. pressed on them unnecessarily  
 for additional grants; the decline of tillage and increase of  
 grazing was a national danger, and Henry VIII. transferred  
 large tracts of land to courtiers who evicted the tenantry,  
 and lived as absentees on the profits of their flocks. The  
 minister of Edward VI., who was so ready to rob churches,  
 had no scruple in confiscating the property of those gilds  
 which had served the purpose of friendly societies and helped  
 the poorer brethren in any occasional distress. The rising  
 of the commons under Arundel and Kett were startling  
 expressions of the grievances which were felt in all parts of  
 the country; other evidence is supplied by the frequency  
 and severity of the poor laws which were called forth by the  
 misery which ensued from the disorganisation of the whole  
 economic system.

### III. SHIPPING.

*Navigation acts*

A.D. 1485 139. The navigation policy which had been begun  
 under Richard II. was fitfully maintained under Henry VII.  
 In response to complaints of the decay of shipping and the  
 lack of employment for mariners, the traders with Gascony  
 were compelled to import their wine and woad in English  
 ships manned with English sailors<sup>1</sup>, when they could be  
 obtained. The king was personally in favour of this policy,  
 for he rarely granted exemptions, though the sale of licences  
 to use foreign ships would have been an easy source of  
 revenue; it was one of which Henry VIII. availed himself  
 so frequently that the law became a dead letter<sup>2</sup>, and there  
 are contemporary complaints of the laxity which prevailed,  
 especially when compared with the very strict navigation  
 laws which were in force in Spain<sup>3</sup>. Wolsey was apparently not  
 disposed to insist on a regulation which undoubtedly rendered

*relaxed*

<sup>1</sup> 1 H. VII. c. 8; 4 H. VII. c. 10.

<sup>2</sup> See the table in Schanz, i. 370.

<sup>3</sup> Schanz, ii., No. 188. Starkey, *Dialogue*, 174.

wine less plentiful in England, so as to diminish customs and A.D. 1485 raise prices<sup>1</sup>, but Cromwell took a different line<sup>2</sup>. In 1540 a very complete act was passed for "the maintenance of the navy"; it calls attention in the preamble to the insular <sup>—1558.</sup> *and re-enforced.* position of England, and adds that "the navy or multitude of ships of this realm in times past hath been and yet is very profitable, requisite, necessary and commodious as well for the intercourse and concourse of merchants transporting and conveying their wares and merchandises as is above said, and a great defence and surety of this realm in time of war as well to offend as defend, and also the maintenance of many masters mariners and seamen, making them expert and cunning in the art and science of shipping and sailing, and they and their wives and children have had their livings of and by the same, and also hath been the chief maintenance and supportation of the cities, towns, villages, havens, and creeks, near adjoining unto the sea coasts, and the kings subjects, bakers, brewers, butchers, smiths, ropers, shipwrights, tailors, shoemakers, and other victuallers and handicraftsmen inhabiting and dwelling near unto the said coasts have also had by the same a great part of their living"; but the complaint continues that the navy was diminished and the towns on the coast decayed, and that "diverse persons not regarding the maintenance of the said navy, nor yet the commodities and profits coming and growing unto this realm by occasion of the same, for their own singular lucre and advantage" had not refrained from infringing the existing laws against importing in foreign ships. The old laws were re-enacted, and the freights were strictly defined for goods of various sorts from different ports; inducements were offered to aliens to make use of English ships, and arrangements were made for the publication in Lombard Street of notice of the sailings of ships<sup>3</sup>. This act gives a clear statement of the political objects of the navigation acts, while the recognition of the coasting popu-

<sup>1</sup> Brewer, *Calendar*, III. part ii. 639, No. 1544. In the time of Edward VI. when the navy of England had again declined, the act in favour of shipping wine and woad in English ships was repealed, as it tended to keep up the price in England to an excessive rate. 5 and 6 Ed. VI. c. 18.

<sup>2</sup> 28 H. VIII. c. 7.

<sup>3</sup> 32 H. VIII. c. 14.

A.D. 1485-1558. lation, and the attempts to remove the practical difficulties which had rendered previous measures inoperative, show a considerable advance on the laws that had been already passed.

*Safety of merchant shipping.*

A.D. 1511. 140. The protection of merchant shipping also engaged the attention of King Henry VIII.; when the war broke out between France and Spain assisted by England, an attempt was made by the two monarchs jointly to organise a regular fleet to keep the seas. Ferdinand and Henry were each to furnish 3000 men; the English fleet were to guard the coast from the mouth of the Thames to "the Trade", and the Spanish ships were to be on duty beyond that limit<sup>1</sup>. The English Admiral, Sir Edward Howard, was to scour the sea<sup>2</sup>, and to give protection to the merchant ships which were to sail under his directions, and the whole fleet was so far as possible to keep together; they were to revictual at Cowes when necessary, and the rates of pay per man at which Sir Edward undertook to maintain the captains, crews and soldiers on the eighteen ships<sup>3</sup> under his command are specified in detail.

*Com-  
merical  
treaties.*

*Trade with  
Iceland*

But protection was needed for English merchants, not only during time of war, but in the actual conduct of their business as well. Two great commercial treaties were made by Henry VII. which are of very considerable interest, as they refer to very different trades and were concluded with powers whose trading policy was exactly opposite. The kings of Norway had always regarded Iceland as a sort of royal domain, and trade was carried on either in royal ships or with special royal permits. Bergen was appointed as the staple and all foreigners were required to trade through this mart; but English merchants found that they could drive a very profitable trade by smuggling to Iceland<sup>4</sup>, and this business was carried on, on a large scale, from Scarborough and later

<sup>1</sup> Not as Macpherson interprets it, Gibraltar, but the Trade or Rade of Brest, Brewer, *Calendar*, i. 558, No. 4005.

<sup>2</sup> *Fœdera*, XIII. 815.

<sup>3</sup> *Ibid.* XIII. 826.

<sup>4</sup> The Regent of 1000 tons was the largest of the rest, 1 was of 500 tons, 3 of 400, 1 of 300, 1 of 240, 1 of 200, 1 of 180, 2 of 160, 4 of 140, 4 of 120, and one of 70 tons. The admiral had 10s. a day, the captains 1s. 6d. a day, the soldiers and marines 5s. a month for wages and an allowance of 5s. a month for victuals. *Ibid.* 826.

<sup>5</sup> See above, p. 374.

from Bristol, and was as usual combined with piracy and A.D. 1485  
pillage<sup>1</sup>. Henry V. prohibited this illicit trade<sup>2</sup>, and parliament  
followed his example in 1429<sup>3</sup>, but from the numerous  
outrages of which we read there is every reason to believe  
that the trade was prosecuted on a large scale, despite these  
attempts at repressing it.

—1558.  
A.D. 1415

Henry VII. was able to enter into negotiations on this subject at a time when the extensive pretensions of the Hanse League had rendered them very unpopular in Scandinavia and Denmark, and when there was a general desire to enter into friendly commercial relations with England. By the terms of the Treaty<sup>4</sup> of 1490, the English had all their former privileges reassured, particularly the right of forming companies and electing their own Aldermen; they had favourable terms given them in regard to customs and the recovery of debts, and they were permitted to trade direct *permitted* with Iceland, on paying the customs there.

Another great commercial treaty, which was signed some A.D. 1490. months later, presents many points of interest and is in itself evidence of the development of English trade with the Mediterranean. This was probably due to the remarkable scheme which Florence had tried experimentally and at length embraced heartily of abandoning protective tariffs and navigation regulations and adopting a policy of Free Trade<sup>5</sup>. The neighbouring cities and Venice were most jealous of the Tuscan capital, more especially as she could now obtain the raw material for her woollen trade at an easier rate; it was to the advantage of the Florentines that English wool merchants should make the port of Pisa, where they already *Pisa* had a consul, a regular dépôt, while the Florentine connexions with Constantinople<sup>6</sup> and Egypt<sup>7</sup> rendered it very desirable for the English to establish a footing there. The Venetians were greatly perturbed when they heard

<sup>1</sup> Schanz, I. 254.

<sup>2</sup> Rymer, ix. 822.

<sup>3</sup> 8 H. VI. c. 2.

<sup>4</sup> Rymer, *Fœdera*, XII. 881.

<sup>5</sup> The gradual reduction of duties was carried through bit by bit with a most careful examination of the results as shown in trade statistics for different periods. It is described in detail by Pöhlman, *Die Wirtschaftspolitik der florentinen Renaissance*, pp. 117 seq. (*Preisschriften gekrönt von der Jablonowskischen Gesellschaft*, xxx.), Leipzig, 1878.

<sup>6</sup> Heyd, II. 386.

<sup>7</sup> Ibid. II. 477, 485.

A.D. 1485 that the project of establishing an English Staple for wool at Pisa was seriously under consideration, and in private letters to their agent in England, as well as public despatches to the Lord Chancellor and Lord Mayor, they argued against the scheme as prejudicial to English interests, and threatened that if it were carried out they would no longer send their galleys to England<sup>1</sup>. In the treaty as finally drawn up<sup>2</sup> it was agreed that 600 sacks of wool should be allowed to go to Venice, but that the rest of the wool required for all Italian towns should be shipped to Pisa in English ships. Englishmen were to be put on the same footing as the scholars who resorted to Pisa, and they might if they wished form a company and elect officers to have jurisdiction over their affairs. This was probably the first attempt at establishing a regular factory of English merchants in the Mediterranean; but trade was soon pushed farther eastwards, for in 1513 Baptista Justiniano, a Genoese, was appointed consul for English merchants in Scio and the Archipelago<sup>3</sup>, and an Englishman, Dionysius Harris, was appointed consul in Candia in 1530<sup>4</sup>. The articles of trade to the Levant were those in which the grocers dealt; it is probable that these merchants were members of their company, and that the Turkey Company grew out of the Grocers<sup>5</sup>, much as the Merchant Adventurers was an offshoot from the Mercers.

*The  
Levant.*

A.D. 1496. While these new developments of English trade were being carefully fostered, attention was also given to the trade with the Netherlands, to the importance of which Henry was fully alive. It had been interrupted for a couple of years, and the re-establishment of commercial relations by the 'Magnus Intercursus' was the occasion for general rejoicings<sup>6</sup>; the former privileges were fully restored. Some pains were also expended in the organisation of the merchants who traded with the Netherlands; they claimed to exercise privileges granted by the Duke of Brabant in the time of King John, but the body probably came into existence

<sup>1</sup> Brown, *Calendar of State Papers (Venetian)*, I. 185, Nos. 561, 562.

<sup>2</sup> Rymer, *Fœdera*, XII. 890.

<sup>3</sup> *Ibid.* XIII. 858; XIV. 424.

<sup>4</sup> *Ibid.* XIV. 889.

<sup>5</sup> Heath, *Grocers Company*, 39.

<sup>6</sup> Rymer, *Fœdera*, XII. 578.

<sup>7</sup> Schanz, *Handelpolitik*, I. 18.

in 1407, when Henry IV. granted the Adventurers the <sup>A.D. 1405</sup> privilege of a consul at Bruges<sup>1</sup>; they had developed out of the Mercers Company in London, and had local connexions in Newcastle, Boston, Exeter and many other towns<sup>2</sup>. Though nominally national, their main strength was in London, and provincial merchants regarded them with jealousy; like the other companies of the time they became more and more exclusive, and they raised the entrance fees from 6s. 8d. to £12; Henry VII. pursued the sound policy of reducing the entrance fine to half that sum. But while checking the exclusiveness of the company he gave it a much more complete constitution<sup>3</sup> <sup>A.D. 1505</sup> than it had hitherto possessed; the members were to choose a governor and twenty-four assistants who were to have authority to hear complaints, make and enforce regulations, levy fines, and all the merchants trading within their limits were to submit to their authority. Their head-quarters were to be at Calais, and they soon got into difficulties with the merchants of the Staple as to their respective rights and jurisdiction<sup>4</sup>; but it is unnecessary to attempt to follow the struggle in detail or to adjudicate on the merits of the case.

The difficulty of adjusting the conflicting claims of the different bodies of merchants comes out in a curious paper, <sup>Proposed mart at Southampton.</sup> written by King Edward VI., which contains an abortive project for opening a great mart at Southampton. It was proposed that for five weeks after Whitsunday, merchants should be encouraged to frequent Southampton, by a remission of half the usual customs on goods landed there; business was to be suspended in the neighbouring counties; and it was thought that Southampton would soon rival Antwerp as a commercial dépôt. The mart was to be closed before the time of S. James' Fair at Bristol and Bartholomew Fair in London so as not to interfere with them. It was thought that in the disturbed condition of the Netherlands, the <sup>Expected advantages.</sup> Channel might provide safer means of communication than the land routes; that continental merchants would frequent our island, bringing bullion with them; and that English merchants would carry on trade in greater security, as they

<sup>1</sup> See Appendix C.

<sup>2</sup> Gross, *Gild Merchant*, I. 158.

<sup>3</sup> Schanz, II. No. 121.

<sup>4</sup> Schanz, II. No. 124.

A.D. 1485 —1558. would not be liable to arrest for every light cause. The whole project was mooted in consequence of the unsettled state of the Continent. It was evident that there would be some difficulty in changing the channels of commerce, though this perhaps might be done when the advantages of the new harbour and dépôt were understood; but the chief obstacle lay in the privileges of the Hanse Merchants and of the Merchants of the Staple, while the Merchant Adventurers would be unwilling to break up their factory at Antwerp. Whether any serious attempt was made to carry this scheme into effect does not appear; had it succeeded, the king contemplated opening a similar mart at Hull, sometime after Stourbridge Fair, but before the northern seas became unsafe from the 'Great Ices'. The day when commerce could be advantageously controlled in this fashion had however gone by; companies of traders were pushing their business in the places where they found that it could be made to answer; some of the evils which King Edward proposed to rectify were cured, not by our merchants withdrawing to the limits where the king could protect them, but by their making good their footing abroad, so that they were able to protect themselves.

*The  
Hansards  
in England.*

While the Merchant Adventurers were prospering abroad the position of their ancient rivals the Hanse League became less and less secure; internal dissensions loosened the bond between the various towns which were its members. Danzig had always maintained a somewhat independent policy<sup>1</sup>, and the authorities of Riga concluded a separate treaty with Henry VII.<sup>2</sup>; the English antipathy to the Hansards did not diminish<sup>3</sup>, and in 1551 the Merchant Adventurers urged on the Privy Council that the Hansards had abused their privileges and ought to forfeit them. After mature consideration the special privileges which had been granted them were resumed and they were put on the same footing

<sup>1</sup> Burnet, *History of Reformation; Collection of Records*, v. 109. The whole is worth perusal as it throws a very interesting retrospective light on the changes of the place where the staple for wool was held under Edward III; especially it brings out the reasons why parliament was so much inclined to hold the staple in England. See above, p. 290.

<sup>2</sup> Schanz, I. 228.

<sup>3</sup> Rymer, XII. 701.

<sup>4</sup> Armstrong in Pauli, *Drei wirtschaftliche Denkschriften*, 86.

as other merchants alien<sup>1</sup>. King Edward VI. was obdu- A.D. 1465  
rate, despite repeated appeals, and they never regained their  
old position. The action they had taken in support of  
Edward IV. probably gave them a longer tenure of their  
special privileges in England than they would otherwise have  
possessed; but the fact that they could no longer hold their  
own in London shows how much English commerce had  
developed. Not only had native merchants succeeded in  
ousting foreigners from the internal trade of the country, but  
they were able to do a large proportion of its foreign business  
as well.

141. The condition of the coasts and harbours of England exposed our ships to many serious risks, and Henry VIII. took an excellent step towards reducing the losses when he incorporated the Fraternity of the Holy Trinity at Deptford. <sup>Trinity House</sup> There is every probability that there was some gild already existing among the pilots on the Thames, and that Henry VIII. reconstituted and incorporated it; the original documents relating to this venerable body were destroyed by a fire in 1714, but copies of the charters of Henry and Elizabeth survived. According to the original charter they were A.D. 1514 empowered to frame "all and singular articles in any wise concerning the science or art of mariners"; and to make ordinances "for the relief, increase and augmentation of this our realm of England." They were governed by a governor, wardens and assistants, and had jurisdiction over all offenders against their rules, while they had power to sue and to hold real property<sup>2</sup>. By the first charter of Elizabeth<sup>3</sup> they were A.D. 1566. also empowered to erect beacons and sea marks, which were much needed in consequence of the destruction of certain steeples and natural landmarks on the coasts, and in 1594 she conferred on the incorporation all the rights connected with beacons, buoys and ballastage which had hitherto been enjoyed by the Lord High Admiral of England, and which were now formally relinquished by Lord Howard<sup>4</sup>.

A body was thus established which had general oversight

<sup>1</sup> Wheeler, *Treatise of Commerce*, 57. Biddle, *Sebastian Cabot*, 186.

<sup>2</sup> J. Cotton, *Memoir of the origin and incorporation of Trinity House* (1818), 161.

<sup>3</sup> *Ibid.* 166.

<sup>4</sup> *Ibid.* 169.

A.D. 1486—1558. *Improvement of harbours.* over the coasts and harbours, but special attention was given to the requirements of particular localities. There was a very large outlay in making piers at Dover<sup>1</sup> and Scarborough<sup>2</sup>, and parliament intervened to prevent the harbours of Devonshire and Cornwall from being injured by the operations of the Miners<sup>3</sup>. Similarly provision was made for the ruined condition of Rye and Winchelsea in 1548<sup>4</sup>. Henry VIII. also made a beginning in the work of fortifying the Thames; the river was so exposed to the attacks of pirates that Henry IV. had narrowly escaped capture when crossing the river, and all his baggage had fallen into the enemy's hands<sup>5</sup>. A fort was now erected however at Gravesend, and another opposite it on the Essex shore<sup>6</sup>, and Londoners<sup>7</sup> were able to rest in greater security than they had done before.

A.D. 1518. *Defences.* *Arsenal.* Henry VIII. also attempted to establish a naval arsenal; this too was settled at Deptford<sup>8</sup>. So long as there had been no royal navy, there was of course no need for royal docks or magazines for naval stores. But Henry was really bent on having a well equipped fleet; the destruction by fire of the *Regent*, his great ship of 1000 tons, set him on building another, the *Grace de Dieu*, which should be of still larger dimensions; and there was decided need for an arsenal, like the celebrated one at Venice, for building and fitting his ships.

*Naval stores.* 142. In this connexion we may notice one or two indications of what was afterwards an important part of the policy of developing shipping. In Elizabeth's and subsequent reigns great pains were devoted to increasing the supply of naval stores and materials used in shipbuilding; one little enactment shows that Henry was alive to the importance of so doing. The decline of arable farming had affected the growth of other sorts of produce besides corn, and for naval purposes it was most desirable to have a good supply of hemp. This was probably the intention in insisting on the cultivation of hemp, as well as flax, in a statute<sup>9</sup> which recites the mischief which accrued from dependence on other

<sup>1</sup> Macpherson, *Annals*, II. 65.

<sup>2</sup> 37 H. VIII. c. 14.

<sup>2</sup> 28 H. VIII. c. 8. See above, p. 425.

<sup>4</sup> 2 and 3 E. VI. c. 30.

<sup>3</sup> Holinshed, 1407.

<sup>6</sup> Macpherson, *Annals*, II. 46.

<sup>7</sup> Denton, 89.

<sup>8</sup> Macpherson, II. 46.

<sup>9</sup> 24 H. VIII. c. 4.

countries for linen cloth ; quarter of an acre was to be in flax <sup>A.D. 1485</sup>  
or hemp, for every sixty acres of tillage. <sup>—1558.</sup>

But there was another matter of far greater moment ; *Seamen* neither the royal nor the mercantile navy could be well manned unless there were a number of able-bodied sailors from whom mariners might be drawn ; and the fishing trades offered a convenient and inexpensive, as well as a thorough, school of seamanship. This was one of the commonplaces of politics *and fishing.* in the seventeenth century when the keenest anxiety was felt about driving the Dutch fishermen out of waters which might have afforded remunerative employment for the men from our own coasts. Neither Henry VII. nor Henry VIII. realised its importance sufficiently to interfere actively in favour of the English fisherman<sup>1</sup>; but in 1548 parliament enacted an extraordinary measure for encouraging the fishing trade by promoting the general consumption of fish. “Albeit<sup>2</sup>,” it *Political Lent.* runs, “the King’s subjects now having a more perfect and clear light of the gospel and true word of God, through the infinite cleansing and mercy of Almighty God, by the hand of the King’s Majesty and his most noble father of famous memory, promulgate, shewed, declared and opened, and thereby perceiving that one day or one kind of meat of itself is not more holy, more pure or more clean than another, for that all days and all meats be of their nature of one equal purity, cleanliness and holiness, and that all men should by them live to the glory of God, and at all times and for all meats give thanks unto Him, of which meats none can defile Christian men or make them unclean at any time, to whom all meats be lawful and pure, so that they be not used in disobedience or vice ; Yet forasmuch as diverse of the King’s subjects turning their knowledge therein to satisfy their sensuality when they should thereby increase in virtue, have in late time, more than in times past, broken and contemned such abstinence which hath been used in this Realm upon the Fridays and Saturdays<sup>3</sup>, the Embering days, and other days commonly

<sup>1</sup> 38 H. VIII. c. 2, seems to show that the fishing on the east coast was almost extinct, as the men went in boats and bought the fish from foreigners instead of catching it.

<sup>2</sup> 2 and 3 E. VI. c. 19.

<sup>3</sup> There is reason to believe that Saturday had *not* been generally observed as a fast in England, though the practice was enjoined by a Roman Council in 1078. Thomassin, *Traité des Jeûnes*, I. 420.

A.D. 1485  
—1558.

called Vigils, and in the time commonly called Lent, and other accustomed times, The King's Majesty considering that due and godly abstinence is a mean to virtue, and to subdue men's bodies to their soul and spirit, and considering also especially that Fishers, and men using the trade of living by fishing in the sea, may thereby the rather be set on work, and that by eating of fish much flesh shall be saved and increased, and also for diverse other considerations and commodities of this realm doth ordain" that all statutes and constitutions about fasting shall be repealed, but that all persons who do not observe the usual fast days (Fridays, Saturdays, Ember days, and Lent) shall be fined 10s. and suffer ten days' imprisonment for the first offence. This curious effort to maintain from motives of political expediency the very usages which were officially condemned as superstitious is characteristic of the times; the measure was re-enacted from time to time both under Elizabeth and James I., who however showed more active zeal in encouraging English fishing.

*The discoveries.**Columbus.*

143. Though the Tudors did so much for developing English commerce, they took no real part in the great discoveries of the age; Henry VII. had the opportunity but wanted the will, and Henry VIII. who had the will to push forward in this matter, was fully occupied with more urgent affairs<sup>1</sup>. England was most favourably situated for the undertaking, and in 1487 while Christopher Columbus was waiting on court favour in Lisbon, his brother Bartholomew<sup>2</sup> went to London to try and interest Henry VII. in the enterprise; he was robbed by pirates on the way, and was glad to get employment at the English court for a time in drawing maps and making a globe, but he was unsuccessful in the main object of his journey.

*John Cabot.**Bristol merchants.*

John Cabot was more fortunate; there is some reason to suppose that he had resided for a considerable time at Bristol, where the interest in maritime discovery was exceedingly strong. On July 15th, 1480, two ships of eighty tons burden belonging to John Jay, a prominent merchant of Bristol, who had served the office of sheriff,

<sup>1</sup> Schanz, I. 822.<sup>2</sup> Peschel, 112.

and whose monument is in S. Mary's Redcliffe, set sail to A.D. 1485  
 the west of Ireland to find the Island of Brazil. They were  
 driven back in September by tempestuous weather, and had  
 met with no success; but it was evidently a serious expedition  
 which had been placed under the charge of "the most  
 skilled mariner in the whole of England<sup>1</sup>," and some  
 students have hazarded the guess that Cabot was the  
 man<sup>2</sup>; though it is clear that he was a Welshman named  
 Lloyd<sup>3</sup>. Even if he had not this reputation however Cabot  
 was apparently entrusted with the charge of an expedition  
 which set out from Bristol in 1494, and discovered the  
 mainland of America; he sighted it at five in the morning  
 on June 24, 1494, and called the land Prima Vista, and the  
 island opposite S. John's<sup>4</sup>. Thus far it would seem that the  
 expeditions were sent out at the expense of the Bristol  
 merchants. "The people of Bristol," wrote Pedro de Ayala  
 in 1498 to his masters in Spain<sup>5</sup>, "have for the last seven  
 years every year sent out two, three or four light Ships in  
 search of the Island of Brazil and the Seven Cities, according  
 to the fancy of this Genoese. The king has determined to  
 send out, because the year before they brought certain news  
 that they had found land. His fleet consisted of five vessels  
 which carried provisions for one year. It is said that one  
 of them in which went Friar Buil has returned to Ireland in  
 great distress, the ship being much damaged. The Genoese

<sup>1</sup> William of Worcester, *Itinerary* (Dallaway), 153. The author died about 1484 (*Ibid.* 17), before the actual discovery of America.

<sup>2</sup> F. v. Hellwald, *Sebastian Cabot*, 9; M. d'Avezac-Macaya, *Les Navigations terreneuvaines*, 10. These writers have discussed the intricate questions connected with the Cabots in some detail, and on the whole their results harmonise. The voyage of 1494 is much questioned and the information furnished by the Paris map has been recently shown to be merely second-hand (Coote, *S. Cabot* in *Dictionary of National Biography*): but the tradition of the early discovery appears to be confirmed by the terms of the Patent granted in 1497 (Rymer, *Fœdera*, XII. 595). Biddle's *Life* is most careful and thorough, but it was written in 1881 and without knowledge of the important documents which have now been published in the *Calendars of State Papers*. The story that he was employed in 1495 by Henry VII. to effect a treaty with Denmark by which Iceland should be made a staple for trade is exceedingly improbable; similar privileges had been granted to English and other merchants in 1490 (Schanz, I. 257 n.).

<sup>3</sup> The name is given variously as Thylde and Llyde. Dallaway, 158.

<sup>4</sup> A map attributed, but mistakenly (*Dict. of Nat. Biography*), to Sebastian Cabot in the Bibliothèque Nationale at Paris contains this information.

<sup>5</sup> Bergenroth, *Calendar* (Spanish), I. 177, No. 210.

A.D. 1498 has continued his voyages. I have seen, on a chart, the direction which they took and the distance they sailed, and I think what they have found or what they search is what your Highness already possesses." This document is of great interest in one point of view, as it is confirmatory evidence of the fact that the merchants of Bristol had sent out exploring vessels before the news of the success of Columbus could have reached them.

*Royal licence.*

King Henry was now willing to patronise these expeditions; he had taken no initiative; according to P. de Ayala he "equipped a fleet in order to discover certain islands and continents which he was informed some people of Bristol had found who manned a few ships for the purpose." The licence *Pro Johanne Cabote et Filiis suis super Terra Incognita Investiganda*<sup>1</sup> empowers Cabot to fit out five ships at his own expense, but confers a strict trading monopoly with all the lands he might discover, on the condition that a fifth part of the capital gain was to go to the king. Cabot was to go to lands "which have been hitherto unknown to all Christians" and to take possession, plant the English flag, and exercise jurisdiction in the king's name over the peoples there. This was in 1496, and Cabot was able after some delay to set out in a single ship the 'Matthew.' The results of this voyage are best described in the language of a contemporary writer. Lorenzo Pasqualigo<sup>2</sup> wrote to his brothers, on October 11, 1497, "The Venetian our countryman who went with a ship in quest of new islands is returned, and says that 700 leagues hence he discovered land, the territory of the Grand Cham. He coasted for 300 leagues and landed, saw no human beings, but he has brought hither to the king certain snares, which had been set to catch game, and a needle for making nets; he also found some felled trees, wherefore he supposed there were inhabitants, and returned to his ship in alarm. He was three months on the voyage, and on his return saw two islands to starboard<sup>3</sup>, but would not land, time being

<sup>1</sup> Rymer, xii. 595.

<sup>2</sup> Brown, *Calendar State Papers* (Venetian), i. 262, No. 752.

<sup>3</sup> The Milanese Envoy had less accurate information than the Venetian: he says that Cabot had discovered two large islands and the seven cities 400 leagues from England. Brown, *Calendar* (Venetian), i. 260, No. 750.

precious, as he was short of provisions. He says that the tides A.D. 1485 are slack and do not flow as they do here. The king of England is much pleased with this intelligence. The king has promised that in the spring our countryman shall have ten ships armed to his order, and at his request has conceded him all the prisoners, except such as are confined for high treason, to man his fleet. The king has also given him money<sup>1</sup> wherewith to amuse himself till then, and he is now at Bristol with his wife who is a Venetian, and with his sons; his name is Zuan Cabot, and he is styled the great admiral. Vast honour is paid him; he dresses in silk, and these English run after him like mad people, so that he can enlist as many of them as he pleases and a number of our own rogues besides. The discoverer of these places planted on his new found land a large cross with one flag of England, and another of S. Mark, by reason of his being a Venetian, so that our banner has floated very far afield."

The patent for this new voyage was granted in 1498; it appears to imply a scheme for colonisation rather than for discovery or trade<sup>2</sup>. Apparently John Cabot had died in the interval and Sebastian carried out the undertaking, and started from Bristol with five ships; they discovered Newfoundland, and Cabot afterwards stated that he had also made out the route of a north-west passage<sup>3</sup>. But his success did not come up to the expectations of Henry; and Cabot, having entered the service of the king of Spain, was not to be tempted back even by the liberal offers of Wolsey in 1516<sup>4</sup>.

Though there was so little royal encouragement for the *Other expeditions.* explorers, the merchants of Bristol were not readily dis-  
couraged. In 1501 Henry VII. granted a patent to Richard Ward, John Thomas, Hugh Eliot, Thomas Ashehurst, and three Portuguese<sup>5</sup> to go on a voyage of discovery and exercise a trading monopoly. Shortly afterwards a larger scheme was planned<sup>6</sup> and two Bristol merchants with two

<sup>1</sup> To him that found the new isle, £10. Biddle, p. 80 n.

<sup>2</sup> It is printed by Biddle, *Sebastian Cabot*, 76.

<sup>3</sup> Or possibly a north-east passage. Brown, *Calendar (Venetian)*, III. 294.

<sup>4</sup> See Schanz, I. 677.

<sup>5</sup> Rymer, XIII. 41.

<sup>6</sup> *Ibid.* XIII. 87.

A.D. 1486 Portuguese associates were empowered to establish a trading  
 —1558. settlement on the newly-found lands; the king afterwards  
 A.D. 1502. assigned them a trading monopoly for forty years and  
 granted them some remission of customs on imports.

*Thorne.*

It is unnecessary to attempt to follow out the results of the different exploring expeditions which were now sent out to the west. Robert Thorne, a linen merchant, persuaded Henry VIII. to make an attempt at finding the north-west passage to the Moluccas. "With a small number of ships," he urged, "there may be discovered diverse new lands and kingdoms in the which without doubt your Grace shall win perpetual glory and your subjects infinite profit. To which places there is left one way to discover, which is into the north." Spain had already discovered the west and Portugal the east, "so that now rest to be discovered the said north parts, the which it seemeth to me is only your charge and duty, because the situation of this your realm is thereunto nearest and aptest of all other<sup>1</sup>." The expedition did not prosper however, and royal interest in the matter was again checked, though English enterprise pushed on. Hawkins made his way to Guinea and Brazil in 1530<sup>2</sup>, and Southampton merchants began to trade there. Another attempt at discoveries in the north-west was made in 1527 under the advice of a forgotten canon of S. Paul's "which was a great mathematician and a man endued with wealth"; he himself sailed in the *Dominus Vobiscum*. Little resulted from this voyage; but nine years later, Master Hore of London, "a man of goodly stature and of great courage and given to the study of cosmography," planned another expedition. This led to the establishment of the colony which first developed the Newfoundland fisheries; these are mentioned with approval and protected from abuses in 1548<sup>3</sup>.

*North-east  
passage.*

Foiled in the west, the English merchants, who complained of a depression of trade, turned their attention, on the suggestion of Sebastian Cabot, to a north-east passage to the Indies<sup>4</sup>. Some London merchants founded a joint stock com-

<sup>1</sup> *Hakluyt*, I. 218.

<sup>2</sup> *Ibid.* III. 700.

<sup>3</sup> *Ibid.* III. 129.

<sup>4</sup> 2 and 3 Ed. VI. c. 6.

<sup>5</sup> Biddle, *Life of Cabot*, 184.

pany with a capital of £6000 in £25 shares, for prosecuting the enterprise<sup>1</sup>; Edward VI. looked favourably on the scheme and gave them letters to foreign potentates in Latin, Hebrew and Chaldee<sup>2</sup>. The whole of the arrangements were directed by Cabot; but Richard Chancellor and Hugh Willoughby were *Chancellor*. in charge of the expedition, which set out from Harwich in 1553. Willoughby was forced to winter in Lapland, and he and his companions perished miserably; but Chancellor was more fortunate and succeeded in reaching Archangel. The people, who were "amazed with the strange greatness of his ship (for in those parts before that time they had never seen the like), began presently to avoide and to flee; but he still following them, at last overtook them, and being come to them they prostrated themselves before him, offering to kiss his feet: but he (according to his great and singular courtesy) looked pleasantly upon them, comforting them by signs and gestures<sup>3</sup>." The friendly intercourse thus set on foot, led to the establishment of regular relations. The Russian Company obtained recognition from Philip and Mary<sup>4</sup>, and when an ambassador from the Great Duke of Muscovy reached London in 1557 he was received in state by the merchants adventuring for Russia, to the number of 150 persons with their servants, all in one livery<sup>5</sup>. It was a promising trade for it seemed to offer an inexhaustible supply of wood for shipbuilding, hemp, oil, tallow and furs. But it led ultimately to other important openings, for the operations of the Russian merchants prepared the way for the Whale Fishery at Spitzbergen<sup>6</sup>, while their connexion with Moscow enabled Jenkinson and other English merchants to enter into trading communication with Persia and the east.

<sup>1</sup> Macpherson, II. 114.

<sup>2</sup> Strype, *Ec. Mem.* II. ii. 76.

<sup>3</sup> Hakluyt, I. 246.

<sup>4</sup> Ibid. I. 285.

<sup>5</sup> Ibid. I. 287.

<sup>6</sup> Macpherson, II. 115.

*The  
Russian  
Company.*

## IV. THE GILDS.

A.D. 1485  
—1558. 144. While shipping was thus fostered and commercial enterprise was being stimulated into such fresh activity, there is very little sign of any fresh development of industry; indeed the evidence of contemporaries would lead us at first sight to suppose that it was rapidly decaying. The complaints of the impoverishment of towns continued under Henry VII., and were supported in the next reign by appeals to the obvious testimony of deserted houses and impassable streets. There is indeed no reason to suppose that the places which had failed to bear the pressure of the war taxes were able to recover under the exactions of Henry VII. Pedro de Ayala describes the general decay in 1498 and ascribes it to its true causes. The king of England "likes to be thought very rich because such a belief is advantageous to him in many respects. His revenues are considerable, but the custom house revenues, as well as the land rents, diminish every day. As far as the customs are concerned, the reason of their decrease is to be sought in the decay of commerce partly by the wars but much more by the additional duties imposed by the king. There is however another reason for the decrease of trade, that is to say, the impoverishment of the people by the great taxes laid on them<sup>1</sup>." There must have been very real decay when such a king granted very large reductions by letters patent,—for example the fee ferm of York which was allowed to fall from £160 to £18. 5s.<sup>2</sup> When two fifteenths and tenths were granted in 1496 there was a remission at the usual rate amounting to £12,000 in all, and Lincoln and Great Yarmouth obtained specially favourable treatment<sup>3</sup>. There is indeed less mention made of decay in the first thirty years of the sixteenth century; but the facts were again brought forcibly forward when the parliament of Henry VIII. began to put pressure on the owners of houses to repair their property and to remove the rubbish that

A.D. 1497

A.D. 1584

<sup>1</sup> Bergenroth, *Calendar of State Papers* (Spanish), i. 177, No. 210.

<sup>2</sup> *Rot. Parl.* vi. 390.

<sup>3</sup> *Ibid.* vi. 514, also 488.

endangered life in the towns. Norwich had never recovered A.D. 1485 from the fire of 1508<sup>1</sup>; the empty spaces at Lynn Bishop<sup>2</sup> ~~and decay.~~<sup>—1558.</sup> allowed the sea to do damage in other parts of the town. Many houses were ruined and the streets were dangerous for traffic in Nottingham, Shrewsbury<sup>3</sup>, Ludlow<sup>4</sup>, Bridgenorth, Queenborough, Northampton and Gloucester<sup>5</sup>; there were vacant spaces heaped with filth, and tottering houses in York, Lincoln, Canterbury<sup>6</sup>, Coventry, Bath, Chichester, Salisbury, Winchester, Bristol, Scarborough, Hereford, Colchester, Rochester<sup>7</sup>, Portsmouth, Poole, Lyme, Feversham, Worcester, Stafford, Buckingham<sup>8</sup>, Pontefract, Grantham, Exeter, Ipswich, Southampton, Great Yarmouth, Oxford, Great Wycombe, Guildford<sup>9</sup>, Stratford, Hull, Newcastle, Bedford, Leicester and Berwick<sup>10</sup>, as well as in Shafton, Sherborne, Bridport, Dorchester, Weymouth, Plymouth, Barnstaple, Tavistock, Dartmouth, Launceston, Lostwithiel, Liskeard, Bodmin, Truro, Helston, Bridgewater, Taunton, Somerton, Ilchester, Maldon<sup>11</sup> and Warwick<sup>12</sup>. There were similar dangers to the inhabitants of Great Grimsby, Cambridge, the Cinque Ports, Lewes<sup>13</sup>; and even in the more remote provinces things were as bad, for Chester, Tenby, Haverfordwest, Pembroke, Caermarthen, Montgomery, Cardiff, Swansea, Cowbridge, New Radnor, Presteign, Brecknock, Abergavenny, Usk, Caerleon, Newport in Monmouthshire, Lancaster, Preston, Liverpool and Wigan<sup>14</sup> were taken in hand in 1544. In trying to interpret this evidence however we must remember that we are reading of attempts to repair, not of complaints of new decline; the mere fact that such attempts were made was perhaps an indication that things had reached their worst; and we are perhaps justified in inferring from the double mention of some few towns that a real improvement

<sup>1</sup> 26 H. VIII. c. 8.

<sup>2</sup> 28 H. VIII. c. 9.

<sup>3</sup> Shrewsbury and Ludlow are mentioned both in 27 H. VIII. c. 1, and in 35 H. VIII. c. 4.

<sup>4</sup> 27 H. VIII. c. 1.

<sup>5</sup> Canterbury, Rochester, Guildford and Buckingham are mentioned in 33 H. VIII. c. 26, as well as in 32 H. VIII. c. 18.

<sup>6</sup> 32 H. VIII. c. 18.

<sup>7</sup> Mentioned both in 32 H. VIII. c. 19, and 35 H. VIII. c. 4.

<sup>8</sup> 32 H. VIII. c. 19.

<sup>9</sup> 33 H. VIII. c. 26.

<sup>10</sup> 35 H. VIII. c. 4.

A.D. 1485 —1558. was effected in the others. If we may assume that the pressure of taxation had prevented towns from recovering after any occasional disaster, like the Norwich fire, we may perhaps take it that these acts for the re-edification of towns mark the extent of the damage which had been suffered during many preceding years, and are not evidence of recent decay, but of a reviving life which was endeavouring to effect an improvement that had been long delayed. It is possible that places like Shoreham and Fowey<sup>1</sup> showed so little sign of returning vigour that it was impossible to make any attempts for their restoration.

*Difficulties in the towns.*

145. It is of course difficult to speak with any confidence on such a subject; but even if this interpretation of the facts is correct, and the towns were on the whole beginning to recover from long years of disaster, we must not too hastily assume that their prospects were altogether bright; for there were causes at work, other than the pressure of taxation and disasters from pestilence, fire or piracy, to hamper the industry of the older towns. Attention has been directed in a preceding section to the difficulties caused at Oxford by the stringent policy of Henry VI. about apprentices<sup>2</sup>, and to the complaints which were made in London of the mischievous ordinances of the gilds<sup>3</sup>. In the sixteenth century the gilds had in many cases so entirely lost their original character that they had not only ceased to serve useful purposes, but their ill-judged interference drove workmen to leave the towns and establish themselves in villages where the gilds had no jurisdiction. In some cases the towns may have been suffering, not through any real decay of the trade, but because their own regulations led to a displacement of industry; while in other instances they were prevented from getting the full benefit of the revival that was beginning to be felt in different directions.

*Abuses in craft gilds.*

It may be worth while to call attention to the facts which indicate that the gilds were ceasing to serve any useful purpose, and then to give one or two instances

<sup>1</sup> Which were mentioned above as greatly decayed: see pp. 408, 425.

<sup>2</sup> See above, p. 400. 8 H. VI. c. 11, and 7 H. IV. c. 17.

<sup>3</sup> See above, p. 397. 15 H. VI. c. 6.

which show that displacement was actually occurring in A.D. 1485 consequence of their mismanagement. —1558.

The craft gilds had in their origin exercised police *Failure to control the apprentices.* over their members and thus secured the safety and good order of the town; while each master really had a limited number of apprentices and servants living under his roof, this was a practicable method for maintaining good order, as each man was responsible for his own household. The conduct of the tailors in 1415 described above, shows that the journeymen were inclined to withdraw from this control; and in the beginning of the sixteenth century the apprentices appear to have been a very unruly body; the riot they made in 1517 was long remembered as *Evil May Day.* The incident appears to have begun through the action of a broker named Lincolne, who induced Dr Bell, who was preacher at the Spital on the Tuesday in Easter week, to read from the pulpit a paper in which he had stated "the griefs which many found with strangers for taking the livings away from artificers, and the intercourse from merchants".... Dr Bell then preached from the words, *Cælum cœli Domino, terram autem dedit filiis hominum*, and "upon this text he entreated, how this land was given to Englishmen, and as birds defend their nests, so ought Englishmen to cherish and maintain themselves and to hurt and grieve aliens for respect of their commonwealth." \* \* By this sermon many a light person took courage and openly spoke against strangers, and as unhappy would, there had been diverse evil parts of late played by strangers in and about the city of London which kindled the people's rancour more furiously against them. The 28th day of April diverse young men of the city picked quarrels to certain strangers as they passed by the streets, some they did strike and buffeted, and some they threw into the channel, wherefore the Mayor sent some of the Englishmen to prison. \* \* Then suddenly arose a secret rumour and no man could tell how it began, that on May Day next, the city would slay all the aliens, in so much that diverse strangers fled out of the city!<sup>1</sup>" The rumour came to Wolsey's ears, and

<sup>1</sup> Stowe, *Annals*, under 1517.

A.D. 1485 —1558. after consulting with him the City authorities ordained that every man should shut his doors and keep his servants within from nine at night till nine in the morning. This was proclaimed but not very generally, and Sir John Mundie on his way home found two young men in Cheap playing "at the bucklers" and a crowd of others looking on; he ordered them to desist and would have sent them "to the counter," but the apprentices resisted the alderman, taking the young men from him and crying "Prentices and Clubs; then out at every door came clubs and other weapons so that the alderman was fain to fly. Then more people arose out of every quarter; forth came serving-men, watermen, courtiers and others" to the number of 900 or 1000; they rescued the prisoners who had been locked up for mishandling strangers. They plundered all the houses within S. Martin's; near Leadenhall they spoiled diverse Frenchmen who lived in the house of one Mewtas, and if they had found him, "they would have stricken off his head"; and they brake up the strangers' houses at Blanchapleton and spoiled them. When order was at length restored signal justice was done on the offenders, including Doctor Bell who was sent to the Tower. On the whole it may be said that those members of the City Council, who did not feel satisfied with the authority of the householders and "thought it well to have a substantial watch," were sensible men.

*Injurious regulations.*

Another of the objects which had been clearly kept in view in the authorisation of craft gilds was the welfare of the public; these associations were able to ensure the production of wares of really good quality. They had so far ceased to fulfil these functions that their own ordinances were brought under the control of the justices in 1437<sup>1</sup>; but the evil reappeared when that statute expired, and parliament enacted in 1503<sup>2</sup> that "no masters, wardens and fellowships of crafts or misteries nor any of them, nor any rulers of gilds and fraternities take upon them to make any acts or ordinances, nor to execute any acts or ordinances by them here afore made, in diminution of the prerogative of the king, nor of other, nor against the common profit of the realm"; unless

<sup>1</sup> See above, p. 397. 15 H. VI. c. 6.

<sup>2</sup> 19 H. VII. c. 7.

their ordinances were approved by the Chancellor or the <sup>A.D. 1485</sup>  
Justices of Assizes. <sup>-1558.</sup>

The third object which the gilds had professed to serve was *Oppression of journeymen.* that of obtaining fair conditions for those who worked in the trade; instances of difficulty between the journeymen and the rising class of employers have been mentioned above<sup>1</sup>, but in the time of Henry VIII. the mischiefs were so patent as to attract the attention of the legislature. This point is of very special interest as it helps to explain the reason of the displacement of industry which characterised the times. One evil, as in the case of the Company of Merchant Adventurers<sup>2</sup>, was the practice of charging excessive fees on apprenticeship. *Fines.* "Divers wardens and fellowships have made acts and <sup>A.D. 1581.</sup> ordinances that every prentice shall pay at his first entry in their common hall to the wardens of the same fellowship some of them forty shillings, some thirty, some twenty, some thirteen and fourpence, some six and eightpence, some three and fourpence, after their own sinister minds and pleasures, ...and to the great hurt of the king's true subjects putting their child to be prentice<sup>3</sup>"; it was therefore enacted that no craft should charge more than half-a-crown as an apprentice fee and three and fourpence as a fine at the end of his term of service.

Of still greater practical significance were the grievances of the journeymen for which redress was provided in 1536. Previous acts relating to craft abuses are recited and the statute proceeds, "sithen which several acts established and made, divers masters, wardens and fellowships of crafts have by cautel and subtle means practised and compassed to defraud and delude the said good and wholesome statutes, causing diverse apprentices or young men immediately after their years be expired, or that they be made free of their occupation or fellowship, to be sworn upon the holy Evangelist at their first entry, that they nor any of them after their years or term expired shall not set up, nor open any shop, house, nor cellar, nor occupy as freeman without the assent and license of the master, wardens or fellowship of their

<sup>1</sup> See above, p. 395.

<sup>2</sup> 22 H. VIII. c. 4.

<sup>3</sup> 12 H. VII. c. 6.

A.D. 1465  
—1558.

occupations upon pain of forfeiting their freedom or other like penalty; by reason whereof the said prentices and journeymen be put to as much or more charges thereby than they before-time were put unto for the obtaining and entering of their freedom, to the great hurt and impoverishment of the said prentices and journeymen and other their friends<sup>1</sup>." Such restrictions naturally resulted in the withdrawal of the journeymen to set up shops in suburbs or villages where the gild had no jurisdiction; and from this they were not precluded, in all probability, by the terms of their oath.

A.D. 1550. This might often be their only chance of getting employment, as the masters were apparently inclined to overstock their shops with apprentices, rather than be at the expense of retaining a full proportion of journeymen<sup>2</sup>.

*Craft gilds  
and public  
authorities*

146. Such were the abuses connected with the craft gilds; it is obvious that they were working badly, and the policy which Henry VII. and Henry VIII. pursued was sound. They tried to get the gilds entirely under the control of public authorities; this was the one remedy which complainants had demanded in 1376 and 1473, as well as from the Tudors. The statute of Henry VII. already quoted<sup>3</sup> shows us another attempt at repressing the evils which accrue from the claim of the gilds to be independent of interference from without.

*supported  
in the*

Subject however to this provision, that some public authority should have real control over them, the craft gilds were encouraged and reorganised under Henry VII. and Henry VIII. In preceding reigns they had been used to some extent for enforcing legislative measures, and as the gilds still appeared to be the most effective instruments for regulating each industry and keeping it in good order, the Tudor kings followed on the old lines. There could in consequence be no general measure of regulation, but the scheme of policy can be easily illustrated from some of the many statutes that were passed regarding craft affairs in London and in other towns.

*struggle  
with aliens*

The struggle between the London crafts and the alien

<sup>1</sup> 28 H. VIII. c. 5.

<sup>2</sup> See above, p. 454.

<sup>3</sup> 8 and 4 Ed. VI. c. 22.

workers was at last decided by the victory of the gilds<sup>1</sup> in A.D. 1485  
 1523. The aliens were prohibited from taking more than —1558.  
 two journeymen, and they were forbidden to take aliens as apprentices; by a still more stringent clause, every alien handicraftsman in any part of the City or within two miles of it was to be under the search and reformation of the London wardens of his craft, who were however to choose a <sup>and used as executive agents;</sup> stranger to act along with them in searching, viewing and reforming the aliens at their work, and in assigning their trade marks. Similar powers were to be exercised by the craft gilds, or when no gild of the craft existed by the borough authorities, over alien workmen all over England.

There were complaints from the pewterers and brasiers of *brasiers*.  
 London and York as to the frauds perpetrated by those who carried on the trade in out of the way places and who stole A.D. 1504.  
 the materials, did bad work and used false weights. The remedy was again found by insisting that the standard adopted by the London gild should be everywhere adopted; the craft gilds in every town and borough were to have the right of search in towns, and the Justices of the Peace to appoint searchers for the shires<sup>2</sup>.

Precisely similar steps were taken in 1531 with regard to *Coopers*.  
 the coopers, who had, perhaps with the connivance of the brewers, been making barrels of uncertain and insufficient size. The London coopers were to have search and to gauge and mark all barrels turned out in London; and in towns where no gild of coopers existed the local authorities were to insist on the same standards being used<sup>3</sup>. In similar fashion the tallow chandlers were to search oils, and to destroy such as were mingled or corrupt<sup>4</sup>.

The leading trades of the country were dealt with in similar *Leather trades.*  
 fashion; Henry VII. defined the respective relations of the A.D. 1485.  
 tanners, curriers, and cordwainers<sup>5</sup>, in the hope of securing better work if each man was only responsible for one part of the process; in 1512 the fellowship of curriers in London

<sup>1</sup> 14 and 15 H. VIII. c. 2. See an earlier instance with regard to alien cordwainers, 8 H. VIII. c. 10.

<sup>2</sup> 19 H. VII. c. 6.

<sup>3</sup> 28 H. VIII. c. 4.

<sup>4</sup> Stowe, *Survey*, Book v. c. 12.

<sup>5</sup> 1 H. VII. c. 5, and 19 H. VII. c. 19, cf. also 2 H. VI. c. 7.

A.D. 1485—1558. was given the right of search over the tanners, and also over the fellowship of alien cordwainers<sup>1</sup>. The evil did not abate however since in 1533 few of the king's subjects could either "go or ride dry either in shoes and boots," and by the *Act concerning true tanning and currying of leather*<sup>2</sup> the powers of the fellowship of curriers to search in London were confirmed, and the mayors were instructed to appoint cordwainers or others to search all tanned leather. The interest of the fellowships of saddlers and of girdlers in the matter was acknowledged, and perhaps stimulated, by giving them shares in the forfeitures under the act.

*Dyers.*

A.D. 1523.

A precisely similar measure was passed with regard to the dyeing of cloth<sup>3</sup>; the wardens of the mystery of dyers in each corporate town might search the dyehouses within a mile compass of each town, and in places where no wardens existed, the local officers were to do it instead.

*Clothing trades.*

A.D. 1488.

The regulation of the cloth-manufacture continued to be a matter of interest; the advantage which England possessed for this branch of industry may not improbably have been impressed on the mind of Henry VII. when he was a refugee at the court of Burgundy. Soon after he came to the throne he "set the manufacture of wool on foot in several parts of his country, as particularly at Wakefield, Leeds and Halifax in the West Riding of Yorkshire,"\* he secretly procured a great many foreigners who were perfectly skilled in the manufacture to come over and instruct his own people here in their beginnings<sup>4</sup>." Legislative encouragement was given to the new industry; the export of wool<sup>5</sup> and of white ashes<sup>6</sup> was prohibited so as to supply materials for making and dressing the cloth; and when in 1550 an act was passed for the true making of woollen cloth<sup>7</sup> the wardens of the clothworkers, wherever they existed, were empowered to act along with public authorities in seeing that the regulations were properly carried out. On the other hand in 1552,—when a great act was passed which

<sup>1</sup> 8 H. VIII. c. 10.

<sup>2</sup> 24 H. VIII. c. 1.

<sup>3</sup> 24 H. VIII. c. 2.

<sup>4</sup> Defoe, *Plan of English Commerce*, 127, 129.

<sup>5</sup> 4 H. VII. c. 11; 22 H. VIII. c. 2; 87 H. VIII. c. 15.

<sup>6</sup> 2 and 3 E. VI. c. 26.

<sup>7</sup> 8 and 4 E. VI. c. 2.

*West Riding.*

A.D. 1489.

A.D. 1488.

enumerates a variety of cloths produced in different parts of A.D. 1486  
 the realm, and thus gives a brief survey of the whole  
 manufacture throughout the kingdom,—though the case was  
 examined with the advice of drapers, shear-men and others,  
 the execution of the act appears to have rested with the  
 municipal authorities pure and simple<sup>1</sup>, and the trades in  
 their corporate capacities are no longer recognised for this  
 purpose.

The most instructive illustrations however are furnished *Norfolk*.  
 by the worsted manufacture in Norfolk. The trade had been  
 organised with eight wardens in 1467<sup>2</sup>, but it had remained  
 in a stationary or declining condition till 1495; this was  
 attributed to the action of the statute of Henry IV. respecting  
 apprentices, "by reason whereof the young people of the said  
 city be grown to idleness, vices and other diverse misgovern-  
 ances"<sup>3</sup>. This act was consequently repealed so far as the citi-  
 zens of Norwich were concerned, the custom of a seven years'  
 apprenticeship was enforced, and the shear-men of Norwich  
 (always subject to the authority of the mayor) were to have  
 search over the shear-men, dyers, and calendarers of worsted.  
 The powers thus vested in the worsted shear-men interfered *Shear-men*.  
 with the rights of the old established shear-men who plied  
 their craft in regard to cloth of all sorts; and we have the  
 usual trouble about disputed jurisdiction between two crafts  
 which led in 1504 to a minor alteration of the act of 1495,  
 and in 1514 order was taken with respect to the process of  
 calendaring; dry calendaring was forbidden and those who  
 did the work were to serve a seven years' apprenticeship and  
 satisfy the Mayor of Norwich and two masters of the craft  
 of their ability to do this work well<sup>4</sup>. Under these various  
 regulations the trade was much increased and multiplied in A.D. 1528.  
 Norwich and the adjoining towns; but since it was "costly  
 and painful" for the people of Yarmouth and Lynn, "who  
 were daily using and practising the making of the said cloths  
 more busily and diligently than in times past," to take the  
 worsteds to be examined at Norwich, the worsted weavers of  
 Yarmouth were to be permitted to choose a warden of their

<sup>1</sup> 5 and 6 E. VI. c. 6.

<sup>2</sup> 7 E. IV. c. 1. See above, p. 390.

<sup>3</sup> 11 H. VII. c. 11. 19 H. VII. c. 17.

<sup>4</sup> 5 Henry VIII. c. 4.

A.D. 1485 own<sup>1</sup>; as soon as there should be ten householders of the —1558. said craft of worsted weavers at Lynn they were to have the same privilege. The whole was recited in an act of 1534, which makes some provisions for trade marks, limits the number of apprentices to two for each worker, and exempts Lynn and Yarmouth from the obnoxious act of Henry IV.; it also insists that the whole process of manufacture, shearing, calendaring, dyeing and all, should take place before the cloth is exported<sup>2</sup>.

This series of statutes is instructive in many ways, but especially because it shows that the need of regulation was strongly felt, and that the policy of the government was to re-organise and re-create misteries, or fellowships, or craft gilds in places where they did not then exist, so long as they were really kept in subjection to public authority.

*Wool.* But there were other matters connected with the worsted trade that demanded attention; the Norfolk trade depended on a supply of wool from the Norfolk breed of sheep, and in 1541 sufficient yarn from this wool could no longer be obtained by the local weavers, as it was bought up by little and little by regtrators who exported it to Flanders, and we have a statute against the regtrators of yarn<sup>3</sup>. A general statute against the regtrators of wool was so worded<sup>4</sup> as to render illegal the operations of the middlemen who supplied the Norwich spinners with 8d. worth or one shilling's worth at a time, and thus made it impossible for the poor to get wool to spin, so that further modification was needed<sup>5</sup>.

A.D. 1545. These may appear to be the merest trivialities, but they are worth mentioning since they serve to show the great practical difficulties with which the legislature had to contend during the whole of the time when serious efforts were made to develop native industry by governmental interference; the aim of these measures was one thing, but they often had indirect effects which were unforeseen and which rendered subsequent modification inevitable.

147. The pressure of the apprenticeship act of Henry IV.,

<sup>1</sup> 14 and 15 H. VIII. c. 8.

<sup>2</sup> 26 H. VIII. c. 16.

<sup>3</sup> 88 H. VIII. c. 16.

<sup>4</sup> 1 Ed. VI. c. 5.

<sup>5</sup> 26 H. VIII. c. 16.

<sup>6</sup> 87 H. VIII. c. 15.

the heavy assessments which they paid for the wars with France and for Henry VII.'s unnecessary exactions, and lastly the regulations made by the gilds with regard to apprentices and journeymen, were all telling against the old corporate towns; they were at a disadvantage as compared with neighbouring villages, and there was as a consequence a considerable displacement of industry from old centres to new ones, or to suburbs.

A.D. 1485.

Decay of  
corporate  
towns.

An excellent instance may be found in the complaint of Worcester. the clothiers of Worcester, Evesham, Droitwich, Kidderminster and Bromsgrove with regard to a trade which had been existing from a very early time. "Whereas the said A.D. 1584. city, burghs and towns<sup>1</sup> have been in time past well and substantially inhabited, occupied, maintained and upholding by reason of making of woollen cloths, called long cloths, short cloths and other cloths, as well whites, blues, and brown blues, and the poor people of the said city, burghs, towns and of the country adjoining to them daily set a work as in spinning, carding, breaking and sorting of wools, and the handycrafts there inhabiting as weavers, fullers, shear-men and dyers, have been well set a work and had sufficient living by the same, until now within few years past that diverse persons inhabiting and dwelling in the hamlets, thorps and villages adjoining to the said city, burghs and towns within the said shire, for their private wealths, singular advantage and commodities, nothing regarding the maintenance and upholding of the said city, burghs and towns, nor the poor people which had living by the same, have not only engrossed and taken into their hands diverse and sundry farms and become farmers, graziers<sup>2</sup> and husbandmen, but also do exercise, use and occupy the mysteries of cloth making, weaving, fulling and shearing within their said houses, and do make all manner of cloths, as well broad cloths, whites and plain cloths, within their said houses in the countries abroad to the great decay, depopulation and ruin of the said city, towns and burghs." It was therefore enacted that none were

<sup>1</sup> 25 H. VIII. c. 18.<sup>2</sup> The point of this complaint, as in regard to Hemp at Bridport, had reference to the price of wool.

A.D. 1485 to make cloths in Worcestershire but the residents in the towns,  
—1558. and with a view of facilitating the return of the craftsmen it was ordered that house rent should not be raised to clothiers above the current rate of the preceding twenty years.

A.D. 1529. Precisely similar measures were also passed with regard to Bridport about rope-making, which was a trade of special importance for naval purposes<sup>1</sup>, and another about coverlets in Yorkshire: none were to be made but in the city of York, and the wardens of their craft were to have the right of search all over the country<sup>2</sup>. There is some evidence in 1550 of the special difficulties to which London artisans were exposed "as well in bearing and paying of taxes, tallages, subsidies, scot, lot, and other charges as well to the kings majesty as to the said city and at many and sundry triumphs and other times for the kings honour," so that there was a danger of the freemen being driven away<sup>3</sup>. In

A.D. 1555. the time of Philip and Mary the same sort of change was taking place in Somerset, and the weavers and other artisans were moving into villages where they escaped the supervision that would have been exercised over them in Bridgewater<sup>4</sup>.

Nor was this a merely local affair which was only to be noticed in one or two districts; it was a cause of general complaint by John Coke, the Secretary of the Merchant Adventurers, in his vapid reply to the *Debate of the Heralds*<sup>5</sup>, and it called forth a statute in 1554 of a perfectly general character. The preamble sets forth how the cities were formerly very populously inhabited by craftsmen, and the children "were civilly brought up and instructed" so that the kings could obtain the services of many persons well furnished for the wars, and the towns could pay fifteenths and tenths, which were far too high for them in their impoverished condition. The most pressing mischief arose from the way in which linen drapers, woollen drapers, haberdashers and

*Retail dealers.*

<sup>1</sup> 21 H. VIII. c. 12.

<sup>2</sup> 34 and 35 H. VIII. c. 10.

<sup>3</sup> 8 and 4 Ed. VI. c. 20.

<sup>4</sup> 2 and 3 P. and M. c. 12.

<sup>5</sup> "Also if our clothiers were commandned to enhabyte in townes as they do in Fraunce, Flaunders, Brabant, Holande and other places, we shuld have as many good townes in England as you have in France and cloth fyner and truelyer made notwythstandyng your bragges." John Coke, *Debate*. See also Armstrong (Pauli), p. 64.

grocers in the country districts, not only carried on the trade A.D. 1485 where they lived, but interfered with the retail trade in the towns as well; and it was provided that countrymen might not retail goods in market towns except at fairs<sup>1</sup>. From this very curious statute we may see that the migration of industry had gone so far, that the retail dealers were forced to follow the artisans in order to get a livelihood, and that the older towns were decaying, not merely as places for industry but as centres for buying and selling. The disappearance of substantial householders who were not concerned in the victualing business, and who were consequently eligible for the duty of regulating the assize of bread and ale<sup>2</sup>, had been noticeable in so many towns that the regulations of the statutes were relaxed in their favour in 1512<sup>3</sup>.

What has been proved so far is the general decay of English towns in the fifteenth century, the effects of which were very potent in the sixteenth; we have also found evidence of the displacement of industry in particular centres where it was migrating from the older towns to the country districts; we have also evidence of the growth of one important industry and the partial recovery of Great Yarmouth; the whole picture would become more complete if we could name any new towns which were beginning to come into *New towns.* prominence. But it is much harder to date the expansion of a village into a town, than to mark precisely the signs of the decline of what had once been a flourishing city into a mere village. There are however three of the great modern centres of industry which began to come into notice in the Tudor reigns. Manchester is casually referred to as a market town in the time of Edward IV.<sup>4</sup>, but it is spoken of in 1542<sup>5</sup> as a flourishing centre of textile, both linen and woollen manufacture, especially of Manchester cottons, and Manchester friezes<sup>6</sup>. Leland gives a most interesting picture of Birmingham as it was in his time, and we may picture it as a mere

<sup>1</sup> 1 and 2 P. and M. c. 7.

<sup>2</sup> 12 Ed. II. c. 6. 6 R. II. c. 9.

<sup>3</sup> 8 H. VIII. c. 8. "Many and the most part of the cities, burghs and towns corporate within this realm of England be fallen in ruin and decay."

<sup>4</sup> Rot. Parl. vi. 182 a.

<sup>5</sup> 83 H. VIII. c. 15.

<sup>6</sup> 5 and 6 Ed. VI. c. 6. The 'cottons' were a kind of woollen manufacture.

—1558.

*Man-*  
*chester.*  
A.D. 1477.

A.D. 1552.

*Birming-*  
*ham.*

village, but with very active forges and ironworks<sup>1</sup>. In the reign of Queen Elizabeth the Lord of the Manor of Sheffield<sup>2</sup> permitted the formation of a company of cutlers there. In each of these cases, an ancient village, which was still under manorial government, and had not risen to the rank of a corporate town, comes into notice as a centre of the active industrial life through which it has subsequently attained a world-wide fame. The assessment of 1334, which rendered the Lancastrian taxation so heavy to the older corporate towns, was in all probability but lightly felt in these rising villages; and we may surmise that craft gilds had never obtained any considerable sway. It is not improbable too that London was greatly re-invigorated at this time<sup>3</sup>. The new companies, such as the Muscovy Merchants, the Turkey Merchants and others, were mostly composed of London citizens, and the rapid growth of the capital gave rise to much anxiety, which expressed itself at last in the proclamations of Elizabeth and Charles I.

148. The decay of corporate towns would naturally be accompanied by the decay of the institutions which had grown up in these towns. The craft gilds were ceasing to be effective institutions for the well-being of their respective trades; and though the effort was made to control and re-invigorate them so as to use them for the regulation of industry, they were no longer necessary for this purpose. Provision was often made for the execution of the industrial statutes in places where no gild existed. So far as industrial regulation was concerned they were no longer positively necessary, and unless duly controlled, they might be positively hurtful.

The ordinary craft gild then was not able to claim any immunity when Somerset made his great attack on the property of all semi-religious bodies. Effect had not been given very generally to the statute by which Henry VIII. confiscated the property of all Colleges, Fraternities, Brotherhoods and Gilds<sup>4</sup>, or the Colleges of Oxford and Cambridge would hardly have survived<sup>5</sup>; but the advisers of Edward VI.

<sup>1</sup> Leland, iv. 114.

<sup>2</sup> Hunter, *Hallamshire* (Gatty), p. 150.

<sup>3</sup> Compare Armstrong's complaint in Pauli, *Drei Denkschriften*, p. 40.

<sup>4</sup> 37 H. VIII. c. 4.

<sup>5</sup> Rogers, *Six Centuries*, 347.

liked to pose as the enemies of forced to avail themselves of every their neighbours' goods. The statutes and fraternities of mysteries or crafts whether any large number actually little inclination to grant them a following year, when a measure was taken of dealers in victuals, it was artisans and labourers who had made promises" and had "sworn mutual oaths not only that they should not meddle with work, and perform and finish that which they had undertaken to do also to constitute and appoint how much to do in a day, and what hours and time. It was also provided that artisans might be pleased, whether they were free or villeins, to have the exclusive privileges of local craft guilds. The London companies could not be prevented from making a vision was made for a new constitution of the city; and they survived, as at Ludlow, which had recently devoted itself to education in that town. Preston escaped and Coventry; but the other towns generally speaking received their charters. When we remember that a great part of the money spent in providing masses for the souls of the brethren, and that this was one of the chief associations, we can see that Edward's action was an excuse for including many bodies that, in more favourable circumstances, have been granted exemption<sup>1</sup>. Had the conditions of incorporation

<sup>1</sup> E. Green, Introduction to *Survey and Rental of the City of London*, p. vi.

<sup>2</sup> 1 E. VI. c. 14, § 7.

<sup>3</sup> 2 a

<sup>4</sup> The gilds were abolished in 1547: in a statute of Edward VI. (1552) clothworkers are recognised as officials for carrying out public duties (c. 2, § 3), but they have no such position assigned to them in the Statute of Edward VI. cc. 6, 8). The only case I have noticed where physicians were recognised for public duties after 1547, is in regard to the duty of sealing the King's letters (1 Mary, n. c. 9).

A.D. 1485 —1558. that they were really required<sup>1</sup>, they would certainly have escaped, though shorn of their wealth; but they were no longer necessary for regulating industry wisely and effectively, and if they were not broken up they had not vigour enough to maintain a useless existence.

It is in the reign of Mary, however, that there is the clearest evidence that industry was entering upon a new phase; the weaving trade affords, as we should expect, the clearest evidence that the era of capitalist production had really begun. The act of 1555 touching weavers shows that clothmaking had got into the hands of employers with large capitals. “For as much as the weavers of this realm have as well at this present parliament as at diverse other times, complained that the rich and wealthy clothiers do many ways oppress them, some by setting up and keeping in their houses diverse looms, and keeping and maintaining them by journeymen and persons unskilful, to the decay of a great number of artificers which were brought up in the said science of weaving, their families and households, some by engrossing of looms into their hands and possession and letting them out at such unreasonable rents as the poor artificers are not able to maintain themselves, much less their wives, family and children, some also by giving much less wages and hire for the weaving and workmanship of cloth than in times past they did<sup>2</sup>.” Here once more we find the rapid development of the cloth manufacture and see the very same mischiefs in it, as appeared more generally and in other trades in the eighteenth century. Exactly a hundred years before there had been the first symptom of the change in the outcry against foreign capitalists<sup>3</sup>, and now the English employers were wealthy enough to carry on their business on these new lines<sup>4</sup>.

*and attendant evils.* This clear statement of the nature of the evil gives us assistance in interpreting the precise bearing of all other

<sup>1</sup> This may have been the case in Scotland where survivals of the gild system are far more obvious than in English towns; as in S. Mary Magdalen's Chapel in the Cowgate in Edinburgh or the Trinity Hall in Aberdeen.

<sup>2</sup> 2 and 3 P. and M. c. 11.

<sup>3</sup> 1455, *Rot. Parl.* v. 384. See above, p. 384.

<sup>4</sup> Stump, the clothier who utilised the monastic buildings at Malmesbury as a factory is a case in point. Leland, *Itin.* II. 58. Compare also Cirencester, Leland, v. 65.

statutes. Steps were taken to prevent employers from hiring their journeymen by the week or for other short periods; and they were also prohibited from overstocking with apprentices, as each was to have one journeyman to every three apprentices<sup>1</sup>. Those who are familiar with the discussion which has arisen in our own time about uncertainty of employment and 'hourly hirings'<sup>2</sup>, or with the eighteenth century outcry about 'overstocking with pauper apprentices'<sup>3</sup>, will have no difficulty in recognising in the phenomena described above the symptoms of capitalistic industry.

There is another striking instance of the important part *Planting new trades.* which industrial capital was beginning to assume in connexion with textile manufactures. Russets, satins and fustians of Naples had been imported into the kingdom in large quantities and the Norwich worsted trade was said to be suffering in consequence. It occurred to certain substantial men of that city however<sup>4</sup> that it might be possible to introduce the foreign art into this country; and the Mayor with six Aldermen and six other merchants of Norwich had, "at their great costs and charges, as well in bringing of certain strangers from the parts beyond the sea into the said city, as also in making looms and all other provision for the same," introduced the art, and set twenty-one weavers to learn it, so that the russets and fustians of Norwich were better and cheaper than those of Naples. They accordingly obtained an act of parliament <sup>A.D. 1555.</sup> by which they were incorporated, and had power given them to regulate the manufacture and to choose wardens who should search for defective goods. This is, so far as I know, the first venture of capitalists to import the necessary plant and the necessary skill so as to introduce a new trade; the craft gilds had originated as associations of those who were actual workers, but it is evident that this was a corporation consisting not of artisans but of capitalists. Just as the merchants of Bristol were empowered to make discoveries and trade to the west, and the London merchants to send their expeditions to the north and east, so were these Norwich merchants associated

<sup>1</sup> 3 and 4 E. VI. c. 22.

<sup>2</sup> *Industrial Remuneration Conference Report*, pp. 92, 106.

<sup>3</sup> *Brentano*, CLXXII.

<sup>4</sup> 1 and 2 P. and M. c. 14.

A.D. 1485  
—1568.

but for an industrial and not a trading enterprise. We might push the analogy farther and notice that in both cases they were enabled to form a regulated and not a joint stock company; but the mode under which this new industry was planted is quite distinct from all that we gather of John Kemp and his associates under Edward III.; the introduction of the new drapery weaving, and of the silk manufacture at a later time, was effected on the older plan by the immigration of bodies of artisans rather than by the intervention of capitalists. But the increased attention which was now given to industrial improvement was at least congruent with the new importance which capital was assuming in industry.



## V. THE LAND QUESTION.

Increase of  
sheep  
farming.

149. It is unnecessary to multiply the proofs that the increase of pasture farming at the expense of tillage, which was generally spoken of as 'enclosing,' was going on rapidly under Henry VII. and his successors. Evidence has been adduced above of the tendency during the fifteenth century<sup>1</sup>, and in the sixteenth it was generally deplored. The remarks of such writers as Sir Thomas More<sup>2</sup>, the Chancellor of the Realm, and Thomas Starkey, a Royal Chaplain<sup>3</sup>, are conclusive as to the wide range over which the change was progressing; but it is worth while to quote the act which asserts the great extent of the mischief in 1534. "Forasmuch as diverse and sundry persons, to whom God of His goodness hath disposed great plenty and abundance of movable substance, now of late within few years have daily studied, practised and invented ways and means how they might accumulate and gather together into few hands as well great multitude of farms as great plenty of cattle and in especial sheep, putting such land as they can get to pasture and not to tillage, whereby they have not only pulled down churches and towns, and enhanced the old rate of the rents of the possessions of this Realm, or else brought it to such excessive fines that no

<sup>1</sup> See above, pp. 861, 899.

<sup>2</sup> *Utopia*, p. 41.

<sup>3</sup> *Dialogue between Cardinal Pole and Thomas Lupset*, E. E. T. S. p. 72. Introduction, § 2, refs.

poor man is able to meddle with it, enhanced the prices of all manner o geese, hens, chickens, eggs, and suc above the prices which hath been whereof a marvellous multitude and of this realm be not able to provic clothes necessary for themselves, th but be so discouraged with misery fall daily to theft, robbery and other i die for hunger and cold<sup>1</sup>." This be it dissolution of the monasteries, and tl when the new landlords pushed on tl with great rapidity.

It is necessary to notice how two distinct changes going on, which a the same term, 'enclosing.' The woring or planting of hedgerows round a of land, and it was sometimes applied large district as one grazing farm or times to the enclosing of an estate in or closes.

Now each of these methods of enc up of the old agricultural system. Th scattered strips would disappear in eit resemblance between the two forms of In the one case, the whole district w sheep, and there would be no occupatio a few herds, and therefore no need for in the other case the lands would s and the same population would be comfortable circumstances than before. *Surveyinge* ends with a chapter which j to make a township that is worth 20 £20 a year. This could be done by agi exchange, and would be to the advant rich man would not overpress the poor on the common pasture, but every man c at his pleasure; the cattle could lie out

<sup>1</sup> 25 H. VIII. c. 18.

A.D. 1485  
—1558.*Economic  
gain.*

cover of the hedges, and be in better condition, and cost less for hay and straw. But the great saving would be in tillage. After the exchange every husband would have "six several closes, whereof three be for corn<sup>1</sup>, the fourth for his layse<sup>2</sup>, the fifth for his common pasture; and in winter time is but one occupied with corn, and then hath the husband other five to occupy till Lent come, and that he hath his fallow field, his ley field and his pasture field all summer. And when he hath mown his meadow then he hath his meadow ground, so that if he have any weak cattle that would be amended, or diverse manner of cattle, he may put them in any close he will, the which is a great advantage; and if all should lie common then would the edyche<sup>3</sup> of the cornfields and the aftermath of all the meadows be eaten in ten or eleven days. And the rich man that hath much cattle would have the advantage, and the poor man would have no help nor relief in winter, when he hath most need: and if an acre of land be worth sixpence or it be enclosed it will be worth eight pence when it is enclosed by reason of the composting and dunging of the cattle, that shall go and lie upon it both day and night: and if any of his three closes that he hath for his corn be worn or ware bare, then he may break and plough up his close that he had for his layse, or the close that he had for his common pasture, or both, and sow them with corn, and so shall he have alway rest ground the which will bear much corn<sup>4</sup>: he would also save somewhat in the wages of his herdsmen, while the hedges would protect his corn much better than they were likely to do. In fact such enclosing as this meant a new method of husbandry. All through the middle ages the three arable fields had been cut off from the common waste and continuously cultivated, with a fallow every third year; enclosure meant the introduction of convertible husbandry, and it set every man free from the customary rotation and enabled each man to make the best he could of his own separate holding.

*Several and  
champion.* The superior profit from such land enclosed and used for convertible husbandry is the subject of a curious poem by

<sup>1</sup> 25 H. VIII. c. 18.<sup>2</sup> The growth in the stubble.<sup>3</sup> Cow-pasture (Mavor, glossary to Tusser).<sup>4</sup> Fitzherbert, *Surveyinge*, f. 59.

Thomas Tusser<sup>1</sup>, who extols the advantages of 'several' or A.D. 1485 enclosed farms over 'champion' or open field husbandry. The introduction of these improved methods too goes a long way to explain the curious fact that there was no disproportionate<sup>2</sup> rise in the price of corn at the time when, according to all accounts, the breadth of tillage was being greatly reduced and grazing farms were being formed out of arable lands. A very interesting tract<sup>3</sup> written about 1530 asserts that there were forty ploughs fewer in Oxfordshire at that date than in the time of Henry VII.; the author goes on to calculate the loss which this change involved; it meant, as he believed, that twelve score persons were thrown out of employment and that there was less provision for the realm. Similar changes were going on all around, and as he asserted wool, mutton, beef, corn, white meat and eggs were all dearer than they used to be; and this, as he tries to prove, because of the number of sheep. The argument is not very forcible in all cases, but it at least helps to show that there was no such special change in the price of cereals as we might have expected.

150. It is obvious that enclosing for convertible husbandry would be an economic gain and would have very few bad effects; there would be a slight decrease of employment for herds, but there would be more for hedgers and ditchers, and the difference to wage-earners would not be very serious. But the formation of large sheep runs was a *Social results of enclosing for sheep farming.* very different matter. Evictions, such as those which must have taken place at Stretton Baskerville<sup>4</sup>, were a great social evil, but the depopulation of large tracts of country was also a political danger. It was in this aspect that the subject first attracted the attention of parliament<sup>5</sup>; the Isle of Wight was taken up with a few large sheep runs, the towns and villages had been let down, the fields dyked and made pasture, and there was no effective force to defend the coast against the French; hence it was decreed that no one was

<sup>1</sup> *Five Hundred Points of Husbandry*, October.

<sup>2</sup> All prices were rising. Strype, *Ec. Mem.* II. i. 146, II. ii. 859.

<sup>3</sup> *Certayne causes gathered together, wherein is showed the decaye of England*, reprinted in E. E. T. S., *Four Supplications*, 98.

<sup>4</sup> See above, p. 599.

<sup>5</sup> 4 H. VII. c. 16.

A.D. 1485 to have more than one farm, or a farm the rent of which —1558. exceeded ten marks. The lords did not exert themselves to put pressure on their tenants as they might have done

A.D. 1515. under Henry VIII.'s first acts on the subject<sup>1</sup>; and in 1536 parliament enacted that the king should have the moiety of all lands decayed since the previous statute was passed, till the owners should repair or re-erect houses of husbandry again<sup>2</sup>; while another statute prohibited any single grazier from having a flock of more than 2000 sheep<sup>3</sup>.

A.D. 1584.

*Social grievances.* But if the political danger was more prominently felt at first the social grievances soon attracted attention; and these became still more prominent when the dissolution of the monasteries and the sudden transference of their lands set the contrast between the old order and the new in the strongest light. A careful estimate seems to show that about one fifteenth of the landed property of the country must have changed hands at this time<sup>4</sup>, if we include the monastic possessions which were confiscated in 1536 and 1539 and the chantry lands which Edward conveyed to new uses in 1548.

*The dissolution of the monasteries.* A contemporary writer has left an interesting picture of the monastic estates at the time of the dissolution; "There was no person that came to them heavy or sad for any cause that went away comfortless: they never revenged them of any injury, but was content to forgive it freely upon submission, and if the price of corn had begun to start up in the market they made thereunto with wain load of corn, and sold it under the market to poor people, to the end to bring down the price thereof. If the highways, bridges or causeys were tedious to the passengers that sought their living by their travel, their great help lacked not toward the repairing and amending thereof, yea oftentimes they amended them on their own proper charges.

*The old landlords* "If any poor householder lacked seed to sow his land, or bread, corn or malt before harvest, and came to a monastery

<sup>1</sup> 6 H. VIII. c. 5 and 7 H. VIII. c. 1.

<sup>2</sup> 27 H. VIII. c. 22.

<sup>3</sup> 25 H. VIII. c. 13.

<sup>4</sup> The amount of ecclesiastical wealth in 1535 was officially returned by special commissioners, and is recorded in the *Valor Ecclesiasticus*. For a very careful comparison of the wealth of the Church in the time of Edward I. and of Henry VIII. see Dixon's *History of the Church of England*, i. 249.

either of men or women he should not have gone away with- A.D. 1485  
 out help; for he should have had it until harvest, that he  
 might easily have paid it again. Yea if he had made his  
 moan for an ox, horse or cow, he might have had it upon his  
 credit, and such was the good conscience of the borrowers in  
 those days that the thing borrowed needed not to have been  
 asked at the day of payment.

“They never raised any rent, or took any incomes or  
 garsomes (fines) of their tenants, nor ever broke in or  
 improved any commons although the most part and the  
 greatest waste grounds belonged to their possessions.

“If any poor people had made their moan at their day of  
 marriage to any Abbey they should have had money given  
 to their great help. And thus all sorts of people were helped  
 and succoured by abbeys; yea happy was that person that  
 was tenant to an abbey, for it was a rare thing to hear that  
 any tenant was removed by taking his farm over his head,  
 nor he was not afraid of any re-entry for non-payment of  
 rent, if necessity drove him thereunto. And thus they  
 fulfilled the works of charity in all the country round about  
 them, to the good example of all lay persons that now have  
 taken forth other lessons, that is, *nunc tempus alios postulat  
 mores*.”

Some attention may be given to the testimony of a <sup>and the</sup> friendly witness, when that of men who were not only hostile,  
<sup>new.</sup> but deeply interested in the destruction of the houses, is  
 so frequently repeated; it is enough to say that, so far as  
 economic matters are concerned, the testimony of this writer  
 is amply confirmed by other evidence. In the act of confisca- A.D. 1536.  
 tion a clause was inserted that the new owners should be  
 bound to keep a good and continual house and household  
 on the same site, and to keep up the same amount of tillage  
 as formerly<sup>1</sup>; while the official documents connected with  
 Edward's attempt to stop the evils of enclosures, show A.D. 1548.  
 quite clearly that the question had been brought into new

<sup>1</sup> Cole MSS. (British Museum), xii. fol. 5. *The fall of religious houses.* The author resided near Roche Abbey in Yorkshire, and had bought some goods sold out of a church by Edward's commission. The management of episcopal and cathedral estates is criticised with some severity by Dudley, *Tree*, 88.

<sup>2</sup> 27 H. VIII. c. 28, § 17.

A.D. 1485 — 1558. prominence by the action of those who had obtained possession of the confiscated lands.

The conduct of these new proprietors had made it necessary for the government to try and intervene; for one thing, their non-residence was a serious evil; they failed to keep a good and continual house, and neither spent their money on their estates, nor helped their tenantry in difficulties. But the rapid progress of enclosures not only roused great social discontent but recalled attention to the political danger which accrued from the decreased population; this last point is spoken of very decidedly in the king's proclamation<sup>1</sup>, and also in the address of John Hales, the prime mover in the matter, to his fellow commissioners<sup>2</sup>. It is also to be noticed that the commissioners were in no sense hostile to the introduction of convertible husbandry; by enclosures Hales did not mean "where a man doth enclose and hedge in his own proper ground where no man hath commons. For such enclosure is very beneficial to the commonwealth; it is a cause of great encrease of wood; but it is meant thereby when any man hath taken away and enclosed any other men's commons, or hath pulled down houses of husbandry and converted the lands from tillage to pasture<sup>3</sup>."

It is not necessary for our purpose to enter into the vexed question of the nature of common rights; the doctrine which traces them back to a time of primitive freedom seems every day to be becoming less tenable; but the prime origin of a right, which had been exercised for several generations, would hardly affect the attitude of those who felt themselves deprived of a boon they had always enjoyed as a matter of course. Some of the landlords in enclosing the common waste had left so little pasture for the tenantry that they could not keep the necessary stock to work their fields; they were not actually evicted, but their farming became un-

<sup>1</sup> "The force and puissance of this our realm, which was wont to be greatly feared of all foreign powers, is very much decayed; our people wonderfully abated, and those that remain grievously oppressed." Strype, *Ec. Mem.* II. ii. 349, also II. i. 145.

<sup>2</sup> "For lack of people to defend us against our enemies, we shall be a prey for them." Strype, II. ii. 352.

<sup>3</sup> Strype, II. ii. 362.

*Commission on enclosures.*

*Curtailing commons.*

profitable<sup>1</sup>. In other cases the peasants were simply turned out of their holdings, while the lords resorted to all sorts of colourable practices in order to evade the force of the acts. It seems not improbable that the lords had the peasantry entirely in their own power, and that, since they were technically liable for incidents of the nominal servitude into which they had returned since the failure in 1381, and their lands were forfeited in law if not in equity<sup>2</sup>.

151. The agricultural distresses of this period, which the commission failed to ameliorate<sup>3</sup>, have a double interest; they bring the period of manorial economy to an end, for the traces of serfdom which crop up at intervals before this time may now be said to cease; the wholesale evictions of those days put an end to the astriction of labourers to the soil, and thus helped to swell the numbers of the tramps who infested the country. Fitzherbert, writing shortly before this time, had spoken of the continued existence of bondmen as a real hardship. "Howbeit in some places the bondmen continue as yet, the which me seemeth is the greatest inconvenience that now is suffered by the law, that is to have any Christian man bounden to another, and to have the rule of his body, lands and goods, that his wife, children and servants have laboured for all their life time to be so taken, like as and it were extortion or bribery. And many times by colour thereof there be many freemen taken as bondmen and their lands and goods taken from them, so that they shall not be able to sue for remedy, to prove themselves free of blood. And that is most commonly where the freemen have the same name as the bond men, or that his ancestors of whom he is comen was manumised before his birth. In such case there cannot be too great a punishment<sup>4</sup>." In 1536 the

<sup>1</sup> *Articles of Inquiry*. If any person hath letten any lands to farm or by copy of court roll, reserving the sheep pasture of the same to himself; or if any person hath taken from his tenants their commons, whereby they be not able to breed and keep their cattle and maintain their husbandry, as they were in time past. *Strype*, II. ii. 360.

<sup>2</sup> *Supplication of Poor Commons* (E. E. T. S.), 1546, p. 80.

<sup>3</sup> Compare 5 and 6 E. VI. c. 5, and 2 and 3 P. and M. c. 2, which imply that the evil was unchecked.

<sup>4</sup> Fitzherbert, *Surveyinge*, chapter XIII. Compare also Kett's Demand, "We pray that all bondmen be made free, for God made all free with his precious blood-shedding." *Russell, Kett's Rebellion*, p. 51.

till between 7 and 8 p.m., half an hour for breakfast and an hour and a half for dinner and for the midday sleep, which was allowed from May to August. In winter they were to work during daylight<sup>1</sup>. This act could not be enforced in London, where higher wages had been given and where the artisans were "at great charge for rent and victual"; so that London was specially exempted from these regulations in the following year<sup>2</sup>. The only additional evidence which the statute book furnishes is of a continued rise of the prices of food, and consequent demands of labourers; victuallers were prohibited from combining to ask unreasonable prices, and the artisans from combining for various purposes. Some of them agreed not to work but for a rate which they themselves fixed, they would not carry on the work which others had begun, they limited the work they would do, and the hours they would work each day, and generally conspired and took oaths to back one another up in securing their own terms; this conduct called forth a severe law against such combinations<sup>3</sup> in 1548.

Such were the conditions on which employment was obtained; it remains for us to glance at the arrangements made for the unemployed.

153. The progress of enclosing, accompanied as it was by eviction, must have reduced large numbers of the population to the condition of homeless wanderers, while the disbanded retainers were even more dangerous tramps. The literature of the time is full of complaints of this evil, and in Starkey's dialogue one of the speakers contends that idleness is the root of the mischief. But the act of Richard II. was so severe that it could not be enforced<sup>4</sup>; all the vagrants could not be committed to goal as there was no accommodation for imprisoning the crowds of valiant and sturdy beggars. Accordingly the first measure of Henry VII.<sup>5</sup> reduces the penalty for vagabonds to three nights in the stocks, a penalty which was afterwards reduced<sup>6</sup> to a day and a night.

The difficulty about impotent beggars was met by enjoin-

<sup>1</sup> 6 H. VIII. c. 8.

<sup>2</sup> 7 H. VIII. c. 5.

<sup>3</sup> 2 and 3 E. VI. c. 15.

<sup>4</sup> 7 R. II. c. 5. See above.

<sup>5</sup> 11 H. VII. c. 2.

<sup>6</sup> 19 H. VII. c. 12.

ing everyone who was not able to work to "go rest and abide in his hundred where he last dwelt, or where he is best known or born, there to abide without begging out of the said hundred." Those who professed to be scholars of the Universities were to be punished like other vagabonds unless they could show letters from the Chancellor, and soldiers and sailors were to be provided with letters from the captain of the ship in which they landed<sup>1</sup>. Subsequent legislation followed on these lines but became more and more definite. In 1531 licenses<sup>2</sup> were required from all impotent persons ; *Licenses to beg.*

these were to be granted by justices of the peace and to define the limits within which the holder was licensed to ask for alms. The able-bodied vagrants were now submitted to more vigorous treatment ; they were to be tied to the end of a cart and whipped through the place where they were found begging, and then to be dispatched by the straight way to the place where they were born or last dwelt, there to labour "like as a true man oweth to do."

A considerable step in advance was made in the year *Funds for the poor.* <sup>A.D. 1536.</sup> of the suppression of the monasteries. It was found that the existing acts could not be enforced because there was no fund for the relief of the impotent poor, nor for the employment of the able-bodied, when they did return to the places where they ought to be maintained ; there were besides no sufficient instructions as to the way in which tramps should repair to their proper districts. A beggar who was tramping homewards at the rate of ten miles a day was to be relieved "upon the sight of his letters given him at the time of his whipping," and the officers of all towns and villages were to keep the poor by way of voluntary and charitable alms ; while they were to set the able-bodied to work so that they might maintain themselves. The churchwardens were to gather the alms with boxes on Sundays, festivals and holy days, so that the poor, impotent, lame, sick, feeble and diseased might be sufficiently provided for and not have to go about and beg<sup>3</sup>.

<sup>1</sup> 11 H. VII. c. 2.

<sup>2</sup> 22 H. VIII. 12.

<sup>3</sup> 27 H. VIII. c. 25, which was composed by Henry himself (Froude, 1. 80). Dorset in *Suppression of Monasteries*, 36.

A.D. 1485 —1558. It is important to notice that these enactments were found necessary before the effects of the dissolution of the monasteries could be felt; the religious houses obviously had not sufficed to relieve all the pauperism in the country, for the complaints to which allusion has been made above all date from the time when they were still in full possession of their wealth. But there can be no doubt that their suppression was followed by a frightful increase of the evil; we cannot of course obtain anything of the nature of statistics<sup>1</sup>, but the desperate measures of Edward VI. are monuments of the greatness of the evil with which they attempted to deal. There was some loss to the poor from the cessation of the actual relief which had been provided by monastic doles, but a far more serious thing was the shock to the fabric of society; estates which had been thoughtfully administered and where the husbandmen had been helped through bad times were now managed by men who cut down their pasture rights and turned them adrift.

*Gilds as Friendly Societies.* The confiscation of the property of the gilds in 1547 acted in a similar way; the people at large suffered, not so much from the loss of the property as from the break up of the institution. The landed property was for the most part devoted to the maintenance of masses for departed brethren; but from the chests, as they were annually replenished with fees and payments, assistance was given to brethren which enabled them to tide over hard times. The loss of the

<sup>1</sup> "Concerning the poor people, notwithstanding all the laws made against their begging and for the provision of them within their several parishes and towns where they dwell: for there be for one beggar in the first year of King Henry VIII. at this day in the thirty-third year of her Majesty an hundred. As may partly be gathered by the multitude of the beggars that came to the funeral of George late Earl of Shrewsbury celebrated at Sheffield in Yorkshire the 13th day of January in the thirty-third year. For there were by the report of such as served the dole unto them, the number of eight thousand, and they thought that there were almost as many more that could not be served through their unruliness. Yea the press was so great that diverse were slain and many hurt: and further it is reported of credible persons that well estimated the number of all the said beggars that they thought there was about twenty thousand. Now judge ye what a number of poor people is to be thought to be within the whole realm, seeing so many appeareth to be in one small part of a county or shire, for it is thought by great conjecture that all the said poor people were abiding and dwelling within thirty miles of the town of Sheffield aforesaid and yet were there many more that came not to the dole." *The Fall of Religious Houses*, Cole MSS. xii. fol. 25.

peasantry could not be measured by guessing at the probable A.D. 1485 amount of cash in these chests, for the wrong that was done —1568. them consisted in the removal of the friendly aid which would have enabled them to pass through times of difficulty without being ruined. The real mischief lay in the break up of institutions which had saved men from falling into poverty, far more than in the actual loss from the confiscation of accumulated funds. Full information in regard to the possessions and rentals of the gilds at the time of the confiscation is available for the county of Somerset<sup>1</sup>; and while it is clear that there were considerable sums set aside for the support of priests and the maintenance of lights, as well as wealth in the forms of vestments and plate, it is not obvious that there were accumulated funds or much land of which the income was assigned to benefit purposes. The destruction of the organisation was a serious matter, but the loss of the possessions was comparatively unimportant, so far as their friendly society functions were concerned.

The first year of Edward's reign was remarkable for an *Loiterers.* A.D. 1547. extraordinary statute about loiterers; they were to be reduced to a temporary, and if incorrigible, to perpetual slavery, to be kept in irons, and branded with a V. for vagrant or an S. for slave according as their slavery was terminable or life-long. It was also enacted that beggar children might be taken from their parents against their will and apprenticed to serve till they reached the age of four and twenty<sup>2</sup>; but such severe remedies were of course ineffectual; they were set aside and the act of 1536 was revived with some trifling modifications in 1550<sup>3</sup>.

The arrangements for the relief of the impotent poor were *Charity organisation.* put on a somewhat different footing two years later, when a regular system of charity organisation was introduced<sup>4</sup>. Two A.D. 1552. collectors were to be appointed by each parish; they were to have a list of all needy persons as well as of all parishioners, and to "gently ask and demand" regular gifts of so much a week from every man and woman. If any persons declined

<sup>1</sup> E. Green, *Survey and Rental* (1888), Somerset Record Society.

<sup>2</sup> 1 Ed. VI. c. 3.

<sup>3</sup> 3 and 4 E. VI. c. 16.

<sup>4</sup> 5 and 6 E. VI. c. 2.



A.D. 1485 to give the parson was to exhort them, and if they were still —1558. obdurate they were to be sent for by the Bishop who was to persuade them as best he might. Under Queen Mary the same system was continued, but Christmas was fixed as the time for obtaining promises about weekly contributions<sup>1</sup>; and it was arranged that if there was such a number of poor that the people could not support them, some might have licenses and badges and go about begging. So far it seemed that local charity, even when organised, did not suffice to provide for the really deserving poor, and that it was impossible to put down open begging altogether.

## VI. THE REVENUE.

*Tampering with the currency.*

*Debased issues.*

154. The Tudor kings were distinguished in various ways from all other English monarchs, but they are specially marked out by the expedients on which they ventured in order to obtain supplies. Their high-handed robbery of religious and charitable institutions is rendered more odious by the unctuous language with which they tried to glaze their shameful proceedings; but no attempt was made to excuse their reckless abuse of royal rights in debasing the coinage. There had been reductions in the size of the coins issued from the mint in 1412 and 1464, when twelve ounces of silver (11.2 oz. of fine silver to 18 dwt. of alloy) were coined into £1. 17s. of coins: in 1527 Henry coined a pound of silver of the old touch into £2. 5s., and from that time the debasement, as well as the diminution of the size of the coins, proceeded till 1551. Edward went so far as to coin a pound of metal consisting of 3 ounces of silver and 9 of alloy into £3. 12s. of coinage.

Even if we had accurate returns of the total mass thus issued we could hardly guess its effect upon the actual currency. There had been, time out of mind, an effort made to prevent the coinage of other lands from getting into circulation in England<sup>2</sup>, and the Tudors continued to regu-

<sup>1</sup> 2 and 8 P. and M. c. 5.

<sup>2</sup> See above, pp. 262, 300.

late the offices of exchange<sup>1</sup> & of bullion or plate<sup>2</sup>; but coinage operation was remunerative, a Henry VII. certain foreign c England. Every step that debasement would render it le about the issues of foreign p lation suffered, not only fror came from the mint, but from brought from abroad.

It is difficult to suppose, as are inclined to do, that they which was being done by the c the immediate gain would er of the available revenue. Th medium was very generally und but the conduct of unscrupul governed by the maxims of ho is enough to say that the deba accounts for the general rise of commonly made in Tudor time of 1495, which was evidently to the workers, admits a high been allowed in 1445, and th continued to increase; there is tendency during the latter par well as in the sixteenth, when, a Rogers' figures, a very decided ri

Looking back from this dista poraries were not always right causes of the distress they felt occurred may be perfectly reliable their explanations of the reason The great rise of wages and pr had been due to the way in advantage of their monopoly, an

<sup>1</sup> Macpherson, *Annals*, ii. 31, 35, 73.

<sup>2</sup> See Nicholas Oresme, above, p. 320.

A.D. 1485  
—1558.  
*Combina-*  
*tion.* each class was supposed by its neighbours to be acting in a similar fashion and to be guilty of causing general distress<sup>1</sup>. The landlords were said to enhance their rents, and hence it was believed food was dearer; the rich graziers were said to have combined so as to keep up the price of wool, and the clothing trade suffered; and labourers were accused of joining to dictate their own terms to their masters. At the very time when competition was destroying the old institutions, there could be no such close rings formed by rival traders, and it is much simpler to suppose that the main cause of the change lay in the debasement of the circulating medium and the consequent rise in the price of goods of every sort. Indeed the difficulty does not lie in accounting for the rise of prices in the time of Henry VIII. but in understanding why that rise had not taken place before. Not only had the coinage been debased by the issues of 1412 and 1445, but the formation of capital, and employment of capital in the manufacture of cloth, might have been expected to bring money which had been hoarded into active use, and to increase the rapidity of circulation<sup>2</sup>. This would of itself have rendered a considerable rise of prices possible, even if no debasement had occurred; but the two causes in combination might have been expected

<sup>1</sup> The unanimous opinion of contemporaries that the rise of prices was due to combination is very curious. It finds expression in the very severe law which was passed against the engrossing of corn, wine, fish, butter, cheese, candles, tallow, sheep, lambs, calves, swine, pigs, geese, capons, hens, pigeons and conies (5 and 6 E. VI. c. 14). This was intended to render food cheap, by preventing middlemen from reaping speculative profits. So too there is a similar enactment about the engrossing of butter and cheese (3 and 4 E. VI. c. 21). The law against conspiracies to raise the price of victuals and to obtain excessive wages is conceived in the same spirit (2 and 3 E. VI. c. 15). But this view of the reason of the rise of prices appears in its most naive form in connexion with the price of wool. We should say that when wool was plentiful it must be cheap, and they felt that since it was plentiful and not cheap, the price must be unduly raised by the speculations of the graziers. "They that have grete numberment of shepe must nedes have great store of woll, and we cannot thynke who shulde make the prys of woll, but those that have grete plentys of shepe. And we do partly know that there be some dwallynge within these thre shyres (Oxfordshire, Buckinghamshire, Northamptonshire) rather than they will sell their woll at a low prysse they will keep it a yere or twayne and all to make it deare and to kepe it a deare prysse." *Certayne Causes in Four Supplications*, E. E. T. S. 96. See also Clement Armstrong in Pauli's *Drei Denkschriften*, 22, 80.

<sup>2</sup> See above, p. 384, on the competition of aliens and clothiers.

to produce very marked, as during the fifteenth century.

Two matters must however be considered. In the first place there was an excessive use of the precious metals in silver trappings, heavy gilding, &c., which had been obtained by making use of the services of goldsmiths, who had got into circulation. The goldsmiths' trade seems to have been the cause of employment, and we need no longer wonder why there was distress in the fifteen hundred individuals who had prospered and made considerable fortunes. Even the towns, which were overtaxed, but cast off individual citizens; the nobles, who had another in costly display.

But besides this, the action of the goldsmiths on the market would also diminish bullion and prevent prices from rising. If £500,000 a year were to be kept nominal prices stable due to debasement. Much of this we find in the private hoards which Edmund had not taken directly from the market, but from the action of the royal miser, who sought to minimise the rise which might result from debasement, and which became more and more squandered by his father's treasurer.

Other considerations drawn from the state of society render it improbable that prices would rise so rapidly as in modern times. Under a system of payment partly in rations, an alteration in the value of money was slowly felt in the agreements of the labourer and employer. This practice was found to be common in the customs of manorial estates, and in the clothing trade, which would be likely to be easily affected by

A.D. 1485  
—1558. medium, as it was growing rapidly. So long as industrial society was organised and calculated prices were in vogue there were institutions which tended to diminish the fluctuations; the regulations of each gild, and the jealousy which each gild felt for its neighbours, would make for stability in prices. The relations of exchange were chiefly determined by the calculations of the makers of different wares, and coins were to some extent like counters, in which the payments agreed on could be settled, and which would serve to obtain valuable articles at the calculated rate on some other occasion.

*Mode of payment* Another suggestion to account for the stability of prices during the later middle ages has been made by Professor Thorold Rogers, who supposes that payments were generally made by weight and not by tale, and that nominal prices continued to represent the same quantities of silver, though as the coins were reduced, each pound in weight would be made up of a larger number of coins. Some reasons have been given above which tell against this view as it appears that when payments were made by weight, they were made according to the weight of the current coin<sup>1</sup>; but it is very doubtful if any considerable number of transactions in silver money were conducted in this cumbrous fashion during the fifteenth century. There can be no doubt that payments by tale were common at the time of the Conquest, and it is not clear why the more primitive practice should have been re-introduced, while it is difficult to see what possible motive there could be for diminishing the size of the coins, if the Crown was not to pay by tale, and so to gain the difference. When the state of the currency was the subject of official enquiry in 1382, John Hoo suggested that a remedy would be found<sup>2</sup> by insisting that payments should for the future be made by weight; this sufficiently proves that payment by tale was a usual practice then. On the whole we are forced to suppose that silver payments were usually made by tale, and when by weight they were reckoned in terms of the diminished coins, so that the stability of prices is due to the fact that the value of silver was steadily rising at the

*and rise in  
the value  
of silver.*

<sup>1</sup> See above, p. 300.

<sup>2</sup> *Rot. Parl.* III. 127 a.

time when the kings were reducing the weight of their A.D. 1485  
—1558. issues.

These considerations as to the structure of society and doubts about the mode of payment serve at least as suggestions which may some day or other be so far confirmed as to render the stability of prices in the fifteenth century more explicable. They may certainly warn us against the error of trying to interpret the fluctuations of mediæval Difficulty of interpreting prices. prices as easily as the changes which take place in the modern society with which we are perfectly familiar; in the very articles where no definite regulation was possible and where consequently fluctuations were frequent, as in the price of corn, the difficulty of carriage and the accidents of drought or flood, made it possible for prices to be at a famine point in Leicester while they were much more moderate in London. Changes in prices while the state of society is known and remains practically unaltered may lead us to examine the possible causes of change, and may even help us to estimate how great a change has been brought about by some known cause; figures may give more precision to the knowledge we already possess, but we must have some acquaintance with the social conditions and the forces that were actually at work in each age, if we are to avoid anachronisms in trying to interpret the course of commercial transactions.

155. The remissions which had been so constantly allowed during the fifteenth century, in voting fifteenths and tenths, made it obvious that there must be some new assessment of the wealth of the country. The towns which had been places of importance in 1334 were now heavily burdened, while there must have been many wealthy clothiers and graziers who only contributed a very small quatum for public purposes. At the same time it would have been very difficult to reopen the old settlement; Englishmen have apparently always objected to inquisitorial levies based on attempts to find out what their actual possessions amount to, and greatly prefer to pay a fixed sum. The fifteenths and tenths which had been originally a payment of fractions of actual possessions were in 1334 turned, by agreements between royal

A.D. 1485  
—1558. commissions and the local authorities, into fixed payments to be regularly made and accepted in lieu of accurately assessed fractional parts of the actual wealth at the time when a fifteenth and tenth were voted<sup>1</sup>. In 1514 when the commons were endeavouring to make up the deficiency which had been caused by Henry's French expedition of the year before, they granted a *general subsidy* of 6d. in the pound; and similar general subsidies were afterwards voted along with grants of fifteenths and tenths. As an illustration one may refer to the act of 1534<sup>2</sup>, when supplies were voted because of the expenses incurred by the king during the twenty-five years just closed in wars with Scotland, in fortifying the Northern Border and in renovating the defences of Calais and the harbour of Dover; and also because of his intention "to bring the wilful, wild, unreasonable and savage people of his said land of Ireland, and his whole diminution of the same, to such conformity, rule, order and obedience as the same for ever hereafter shall be much utile and profitable to the kings of this realm, and a great surety and quietness to the subjects and inhabitants of the same." The usual fifteenths and tenths were then granted; and in addition a general subsidy of one shilling in the pound on the property of those who had lands of £20 a year, or goods to the amount of £20, and who were subsequently known and commonly spoken of as 'subsidy' men. Gilds, Corporations and Companies, as well as all aliens, were to pay at double this rate. The king was to send commissioners to every shire, who were to make inquiries through the constables as to the amounts which different persons should contribute to this tax; these persons had however the opportunity of appealing to the commissioners if they were overcharged. But this elaborate machinery did not really serve for the purpose of readjusting the claims of the revenue, as the wealth of the country developed; the assessment got into a regular groove. Each subsidy was simply based on the payments made on the last occasion when one was levied, and thus in the later Tudor times a subsidy came to mean a payment of about £80,000<sup>3</sup>, though

*A fixed  
levy.*

<sup>1</sup> Dowell, *History of Taxation*, I. 97.

<sup>2</sup> 26 H. VIII. c. 19.

<sup>3</sup> Dowell, I. 197.

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<sup>1</sup> Dowell, i. 165.

<sup>2</sup> Hall, *Customs*, II. 1.

<sup>3</sup> Ibid. i. 124.

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poor ; the range of prices was high, force up the price of bread to a high were dispensed with, though the anxious to encourage tillage. The more favourable centres rendered i full ' fifteenths and tenths ' from the towns, and its natural development the hope of relieving them. The go was living from hand to mouth, ar all the recognised principles for inc nation, in order to keep things goin just because the government was liv and was unable to attend to the deve wealth and to strengthen the founda little fresh experience was obtained promoting this object, and of so sys commerce as really to build up the n

There was indeed one side of ind progress was made ; capital was being used for carrying on the manufacture ducing new branches of that trade. step in advance ; but contemporaries an advance ; on almost every side an the legislature were ready to check th The large graziers and the wealthy cl execution, and every effort was made farms, and to regulate the action of the cloth manufacture ; in our time has been spoken of by men of the M great enthusiasm as if he were a sort in Tudor days he was regarded with g was at that time a remarkable growth factor in industrial life ; but so much to the evils which accompanied it, that importance of the power of industrial c thought to the question of directing it

157. The economic literature of th interest, since it reflects current opinion change ; but just because the times w

A.D. 1485  
—1558.

Description of  
economic  
changes.

was much difficulty in obtaining a clear grasp of economic principles, and the writing of the Tudor reigns has very little scientific value. The literature of the day is full of interesting description and suggestion, but there is no sign of greater accuracy of thought or definition of language in dealing with the social and economic problems of the time. No writer did much to give clearness to the current ideas of national prosperity, or to lay down principles which should guide men in pursuing it. There are however some treatises of a practical character which show a distinct progress in particular arts.

*Husbandry.* Fitzherbert's *Husbandry* is in itself evidence that serious and conscious efforts were being made to improve the agriculture of the country. Till the sixteenth century Walter of Henley's treatise had been the best work on the subject; and though the later copies and English translation show, by the interpolations, that some progress had been made in knowledge that was necessary for the grazier, the thirteenth century suggestions appear to have been accepted as a sufficient guide in regard to tillage. Fitzherbert was obviously acquainted with Walter of Henley's book and incorporated some of it: but he was also a practical farmer and he embodied the result of forty years' experience<sup>1</sup> in the treatise he wrote, out of the "great zeal, love and comfort," he bore to the "farmers and tenants, and all other goddis creatures that they may surely easily and profitably increase and susteyn their poore householde, wyves and chyldren, and also truly to pay theyr rentes customes and services unto theyr lordes." It opens with a discussion of the parts of a plough, and the best team for doing the work, and gives practical hints on all agricultural operations, as well as on the management of sheep, cattle, horses, pigs and bees; it is specially explicit on hedging and ditching and on arboriculture; the concluding portion is taken up with remarks on household and personal duties. This work went through an extraordinary number of editions in the sixteenth century; and the author also issued another tract on *Surveying*, intended, not for the husbandman, but for the landlord. It is a treatise on estate

*Surveying.*

<sup>1</sup> See the colophon.

management in the form of a commentary on the *Extenta A.D. 1485 Manerii* in the Statute Book. The author speaks very strongly about the iniquity of unfair evictions, and adjures lords that they "doo not heighten the rents of their tenants." "For as me seemeth a greater charite nor almis dede a man may not well do, than upon his owne tenautes, and also to the contrary a greater bribery nor extortion a man cannot do than upon his own tenants for they dare not say nay, nor yet complayne, and therefore on their sowles go it that so do and not on myn<sup>1</sup>." At the same time he is fully alive to the advantages of convertible husbandry, and in the last chapter he shows how by enclosing the annual value of a township may be increased fifty per cent.

When the work of enclosure was actually undertaken the process of measuring out each man's holding and readjusting the various lots, must have presented grave practical difficulties; it was hard enough to manage this satisfactorily in the later era of enclosing, at the beginning of the present century; and Fitzherbert wrote his *Husbandry* with a view to the requirements of landlords who were not able to write<sup>2</sup>, and there was much need for a simple book of rules for the more ordinary calculations in connexion with the management of land. This was supplied by Sir R. de Benese, a Canon of Merton, whose *Boke of the measuring of land* was published in 1537. One can easily see that, in conjunction with Fitzherbert's hints in regard to quick-set hedges, it would be a real help in carrying out the enclosure of open fields.

The section of Fitzherbert's *Husbandry* on Horticulture would be acceptable at a time when increased attention was being given to gardens and orchards. There are signs of a revived interest in this matter in the fifteenth century, as the work of Palladius enjoyed a considerable popularity. It was translated in verse by a Colchester Monk<sup>3</sup>, and formed the basis of a *Treatise of Planting and Grafting of Trees* *Arboriculture*. which is sometimes found in conjunction with Walter of Henley<sup>4</sup>. The merchants and clothiers were inclined to take

<sup>1</sup> See the chapter entitled, *A short information for a younge gentleman that intendeth to thrive*, f. 57.

<sup>2</sup> Edited for the E. E. T. S. from a MS. of about 1420 A.D.

<sup>3</sup> British Museum, Sloane, 686. It also occurs with the translation of Walter

A.D. 1485 to rural pursuits<sup>1</sup>, and they had plenty of money to invest in —1558. the planting of trees, and laying out orchards and vineyards.

There is another series of writings which have survived, and which bear on practical matters of another kind. There *Travel and discovery.* is a great deal that is fascinating in the accounts of voyages, and the speculations which go to make up so much of the literature of discovery. The whole world then afforded problems such as are now presented by the remoter parts of Africa; one writer after another collected accounts of voyages and travels, and on the information thus obtained, schemes for new expeditions were based. Hakluyt's great collection is full of recitals of pluck and enterprise, but none of the papers it contains is of greater interest than Mr Thorne's argument in favour of prosecuting the north-west passage. In particular it brings out clearly the objects which attracted the English merchants of that time in urging the government to carry on the work of discovery; they were eager to trade and to secure a share of the highly prized spices of the East, for which the demand in Europe was very great, and also to establish factories and plantations. The idea of mining for the precious metals did not take a prominent place in their schemes, at first; but as the Spaniards obtained larger spoils and at last opened up the seemingly inexhaustible treasures of Potosi, English enterprise was for a time diverted to lawless methods of sharing their booty and to lands where similar gains might be secured.

158. When we come to consider more strictly economic treatises, however, it is at once apparent that they are of more value as describing the course of events, than because of the explanations the writers were able to offer. The very form of some of the most interesting works indicates the uncertainties of the times; for the chief writings which deal with the welfare of the nation as a whole, do not lay down

of Henley which was ascribed to Grossteste and printed by Wynkyn de Worde: there is an example in the Cambridge University Library. It is also printed by Douce in his edition of *Arnold's Chronicle*: it seems to have had an interest for a city merchant as well as the forms of letters of credit which stand beside it in his book.

<sup>1</sup> Crowley's *Epigrams, Of Merchants*, p. 41.

definite principles, but set forth in dialogue form. More's *Utopia* and St. Thomas' works of intense interest, but it is not easy to reach any very definite conclusions, any new principles for economic life. Sheep-farming, which is put in the dialogue, and assertion of the benefits which are able to buy foreign goods which we may be taken as an interesting state of securing plenty, but it cannot be the views of Edward III. and his court. Step forward it would have been necessary for the pursuit of plenty could be really reduced of power, which seems to be the general passages; but as this is not done, there is no cohesion.

Besides these dialogues, there is a tract which deals with economic topics from a religious point of view, but which gives little definite light.

Armstrong, Latimer, and Gilpin<sup>1</sup> are the chief exponents of the censure of the vices of the time. There is little interest attaching to the *Tree of Life*, a tract which Edmund Dudley wrote and presented to King Henry VIII., as well as to the *Epigrams* of Crowley. But these three tractates all speak with a very certain soundness of the principles of Christian duty and of expediency, and though their exhortations are somewhat forcible, we can hardly be surprised that they will not be popular. There is no satisfactory basis for positive action.

So long as they confined themselves to the religious side of the question, there was little difficulty. Some law against the extravagance of the rich, some against the discontent of the poor, some against the unscrupulous in their bargains, some against the habit of raising their rents. We may agree that these are good, but we must also allow that from human selfishness and admit that they are not unselfishly and wisely the whole nation.

<sup>1</sup> Strype, *Ec. Mem.* ii. ii.

A.D. 1485 state; but these are mere truisms. What was needed was  
 —1558. definite teaching as to the particular duties of life in each different position in society. Mediæval moralists had distinguished the kind of transaction that was right from the kind of transaction that was wrong, and the distinctions they drew could no longer be enforced; but so soon as one tries to judge of the expediency of conduct by tracing out its effects, and as this mode of argument is admitted, there can no longer be authoritative teaching as to the right action and the wrong action in ordinary social affairs.

*inapplica-  
ble in  
changed  
circum-  
stances.*

Christian moralists in all ages had said it was wrong not to work; and in the organised structure of mediæval society there was little difficulty in saying what each man ought to work at, or how long he should work. He might serve the king in war, or till the soil, or follow his trade and make goods to sell; but in a time of transition, when there were so many who could get no work to do, there seemed to be no particular use in reproving them for being idle. Lupset and Dudley are both inclined to take that line, but what was really needed was some positive teaching as to the duty of employers. They were turning men off from the opportunity of working, and were thus increasing idleness, but there was great difficulty in deciding what their duty really was. It is not a duty to find a man in work, in the same way as it is a duty to pay him for the work he does; the obligation is entirely different. It may be an act of charity to make employment for those who are out of work, but it is impossible to say that it is the duty of every employer to carry on his business in such a fashion as to provide the greatest opportunities of employment. This has been seriously urged<sup>1</sup>, and it is a common feeling on the part of those who destroy property in the vain hope of thereby making work. But there is no need to demonstrate how unsound the position is; all the great improvements in the power of satisfying human wants have come about by introducing natural forces to lighten the pressure of the drudgery done by human muscles—but at the same time each step in advance has necessarily restricted the opportunities of employment, for a time at all events. Preachers could not

<sup>1</sup> Defoe, *Plan of English Commerce*, 58.

say positively, it is a duty to conduct  
way as to give employment, but the  
sentiment that it was wicked not to c

In similar fashion all Christian r  
that it was wrong to be greedy of g  
as a man who was peculiarly liable  
held to pursue a dangerous calling  
great deal of acute casuistry expend  
tinguish what kinds of transaction  
were to be deprecated; to ask for a  
business, while bargaining to be fre  
always been denounced as wrong; and  
cumstances of Tudor times it was ver  
why it was wrong. To lend a man  
bargain for a definite, instead of a  
his gains was not extortionate, and it  
why should it not be done? What be  
the realm; and though the sentiment  
the ordinary conscience did not feel cle  
an evil practice, since it was diffi  
hurtful. It was no longer possible  
hearing when they said positively it  
payment for the mere use of money;  
that people should not lend on exorb  
was no rational definition of what  
limiting of a rate of 10 per cent., as wa  
real solution of the difficulty: to some  
might be excessive, to others it might

The duty of work and the evil of g  
great foundations of Christian teaching  
in the Tudor times, the maxims which  
and formulated by Christian moralists<sup>1</sup>  
guidance in actual life. This was reall  
of capital. The duties of employers co  
duties of strict obligation, nor could the  
capital be stated with perfect precision  
treated and regulated not as matters o  
with a view to political expediency; the

<sup>1</sup> 37 H. VIII. c. 9.

A.D. 1485 of the state came to be the criterion of what was allowable.  
—1558. In this way enclosures were deprecated, and on this ground the state did much to control the direction in which capital was employed; but Christian moralists were no longer able to give positive teaching as to what was right or wrong, they were contented to appeal to sentiments which practical men regarded as merely fanciful. The outcry against the un-Christian character of social life in the present day is a vigorous protest against the movement which has been going on steadily since the fifteenth century. Since the power of capital has come into being, society has been reconstituted on a basis in which the old moral distinctions do not apply; the sentiment has remained, but merely as a sentiment, and no serious effort has been made to determine what is right and what is, not criminal but still, wrong, so as to give clear and definite guidance in ordinary business affairs.

*Edward VI., and national economy.*

*Differences of degree.*

159. The good intentions and the real weakness of the economic writers of the time are admirably exemplified in a paper which possesses a special interest as it is in the handwriting of King Edward VI.<sup>1</sup> In presence of the social disorganisation of the time, there was a wide-spread feeling that it would be well if everyone would do his duty in his own station of life. Fitzherbert<sup>2</sup>, following the *Game and Play of Chesse* which is familiar to lovers of Caxton, insists on the differences of degree<sup>3</sup> among men, and the importance of fulfilling the "authorities, works and occupations" for which they were respectively responsible. The idea runs through the whole of King Edward's tract. He is nervously anxious that society should be well organised with each man in his own appropriate place, and he dreads any increase of individual wealth which should disarrange the social fabric. The gentleman who took to sheep farming, the merchant who became a landed man, the farmer who took several farms at once, or who became a pedlar merchant, the artificer who for his more pastime would live in the country were all pushing, prosperous men, but they were all obnoxious

<sup>1</sup> *Discourse about the Reformation of many abuses. Temporal Regimen.* Burnet, *Reformation*, v. 97.

<sup>2</sup> *Husbandry*, Prologue.

<sup>3</sup> Shakspere, *Troilus and Cress.* i. iii. 83.

according to Edward's idea of a well-ordered commonwealth. A.D. 1485  
 No one should have more "than the proportion of the <sup>The</sup> ~~country would bear~~ <sup>—1558.</sup>" and therefore he approved of laws for <sup>proportion</sup> ~~of the~~ preventing any one man from having too many sheep, or ~~country~~ more than two farms or more than one trade to live by.

There is indeed a constant and ever recurring difficulty between maintaining a systematic organisation on the one hand and leaving scope for expansion and growth on the other<sup>1</sup>. Regulation and organisation are good, but they become an evil if it is necessary to sacrifice activity and vigour in order to maintain them; and this was what Edward was quite prepared to do, in his capacity as head of the body politic, and to ensure that no one part of the body should "eat up another through greediness." But in attempting to repress *Repression.* the evils of the time he had no clear principle to guide him, but the rough guess that it was "hurtful to enrich immoderately any one part. I think," he writes, "this country can bear no merchant to have more land than £100; no husbandman nor farmer worth above £100 or £200; no artificer above 100 marc; no labourer much more than he spendeth. I speak now generally, and in such cases may fail in one particular; but this is sure: This commonwealth may not bear one man to have more than two farms, than one benefice, than 2000 sheep, and one kind of art to live by. Wherefore as in the body, no part hath too much nor too little, so in a commonwealth ought every part to have *ad victum et non ad saturitatem.*" But the whole of his argument suffers because there is no clear principle to which appeal can be made; the proportion of the commonwealth gave no certain guidance. He entirely failed to see that the very energies which he was repressing were working indirectly for the enriching of the whole commonwealth, so that in time to come each of the various classes would be the gainers; the proportion of the country was so altered that it was able to

<sup>1</sup> As a modern analogy we may notice how with the growth of Trades Union organisation there has been a tendency to restrict each individual to specific departments of work and in some cases to a limited amount of work, according as the 'proportion' of the trade 'would bear.' These restrictive regulations have called forth much criticism on the ground that they were unfair to energetic individuals and interfered with the expansion of English trade.

A.D. 1466  
—1566. bear the rise of a moneyed class, and middle class, and the struggles of a vast working class, to help themselves.

*The Elizabethan code.*

When the economic system of the country was really organised on a national basis in the time of Elizabeth, there was comparatively little of the repression which Edward recommended; and the repression was exercised in connexion with a political, not an economic, principle. The idea of national power was treated seriously, private interest was looked on with disfavour, but it was only repressed when it conflicted with the strength of the realm; for the rest its activity and force were recognised and directed. The true solution of the conflict between public and private interest is not perhaps to be stated in general terms: it must possibly be discovered anew by each age for itself; but we may at least feel that if the legislation of Elizabeth had been drafted in the spirit which inspires Edward's little essay, it could not have stood so firmly or so long as it did. Rules were laid down for every department of life—for industry and agriculture and commerce—and a very elaborate code was passed for employers and employed and unemployed. Yet so much scope was given for enterprise and the accumulation of wealth that the great force of private interest, which the Tudor moralists feared, was guided and regulated, not repressed; its best energy was directed into channels which served to promote the riches of individuals, and did not at any rate injure the power of England.

## APPEND]

### A. THE ASSIZE OF WEIGHTS AND MEASURES

THE earliest form of regulations for the control of weights and measures, which might possibly have influenced English law, is to be found in the Frankfort Capitulare de villis et curtis imperii, a code of regulations limiting the price of corn and of food, which was issued by Charlemagne in 774, and fixes a maximum ration of bread for the people. It is of great importance for Charles and his court.

Statuit piissimus dominus noster dominus Carolus in synodo, ut nullus homo, sive ecclesia nunquam carius vendat annonam sive tempore caritatis, quam modium publicum. De modio de avena<sup>1</sup> denario uno, modio sigli<sup>2</sup> denarii tres, modio frumenti vero in pane vendere voluerit duodecim libras, habentes singuli libras duas, pro denario quindecim aequo pondere pro denario, et pensantes, avenatios viginti quinque libras, vero annona publica domini regis, si videtur modius 2 pro denario, ordeo den. 1, sigillum denar. 3. Et qui nostrum habet beneficium videat, quantum potest Deo donante, ut illum pertinentes beneficium famen modius familiae necessitatem, hoc libere vellet.

In London regulations were made at an early date; the following rule, which compares the price of a bushel of wheat with one for wages, is certainly not later than 1265, and may be earlier<sup>3</sup>.

#### DE CONSTITUTIONE ET PONDERIBUS

Lune post sanctum lucam constitutus quando frumentum vendebatur pro xli siliunculae, tunc ponderavit gastellum<sup>4</sup> de ob. ix siliunculae, ob. ix marcas.

<sup>1</sup> Oats.

<sup>2</sup> Barley.

<sup>3</sup> Coarse.

<sup>4</sup> *Capitularies*. Migne, xcvi. 193.

<sup>5</sup> British Museum, Add. 14,252, f. 118 b, in a

thirteenth century hand.

<sup>7</sup> Wastel bread, fine bread (Fr. gâteau).

## DE CONDITIONE OPERARIORUM.

Et ibidem tunc provisum est ut magister carpentarius et magister macerius<sup>1</sup> et magister tegulator<sup>2</sup> capiat *inde* ij d et *conredium*<sup>3</sup> vel sine *conredio* iij d *pro omnibus*. Minores vero iij ob. cum *conredio*, vel sine *conredio* iij d. Coopertores<sup>4</sup> vero ut de iunco vel arundine capiat magister iij ob. cum *conredio* vel iij d sine *conredio*, minores autem i d et *conredium* vel ii d *pro omnibus*, et ita servetur usque pascha.

The same mss. contains (fol. 85 b) an Assize of Bread which is much more elaborately worked out; it is of the time of Henry II., and differs in several important respects from that in the Statute Book. The range of prices for wheat is different, as this runs from eighteenpence to six shillings a quarter, while the Statute Book gives larger variations, from two to twenty shillings. The order is different, as this runs from a high price and small weight to a low price and large weight, while the Statute Book begins with cheap corn and a large loaf and runs to dearer corn and smaller weights. The two lists agree in the size of the loaf when corn was sold for four shillings and sixpence; it was to weigh 30 shillings, each presumably of twelve pence, and the pennies of twenty to the ounce; but in the earlier assize the loaf was smaller than in the later one, both when corn was as dear as six shillings and when corn was as cheap as two shillings the quarter<sup>5</sup>. The allowance for the baker's servants is larger in the later assize, as the baker was to have three halfpence for three servants instead of four, and a halfpenny instead of a farthing for the two lads.

Hec est assisa de pane faciendo et vendendo que probata est per pistores domini regis Henrici secundi, ita quod pistor poterit sic vendere ut subscriptum est et in quolibet quartanario frumenti lucrari tres d. et brennum exceptis duobus panibus ad fornacium<sup>6</sup>. Et quatuor servientibus tres obolos et duobus garcionibus quadrantem. In sale ob. in gesto<sup>7</sup> ob. in bosco tres d., in candela quadrantem in buneter<sup>8</sup> ob.

Quando quartierum frumenti se vendit *pro sex* sol.; tunc debet panis esse bonus et albus et ponderare *sexdecim* sol. de *xx*<sup>9</sup> lorres<sup>10</sup>; et panis de toto blado<sup>11</sup> debet esse bonus ita quod nichil inde subtrahatur et debet ponderare *viginti* quatuor sol. de *xx* lorres. Quando *quarterium* frumenti se vendit *pro quinque*

<sup>1</sup> The maker of the wattled sides of a house.

<sup>2</sup> The tiler. <sup>3</sup> Allowance of food, rations.

<sup>4</sup> The thatcher.

<sup>5</sup> According to the assize in Arnold's *Chronicle*, which is probably of the fifteenth century, the prices of wheat given range from 3s. to 20s. the quarter. The weights are given in ounces and pennies; if the ounce was 20d., the farthing loaf was to weigh 296 pence when corn was 4s., as against 360 in the time of Henry III.; this looks as if the debasing of the currency was really felt, but it is too doubtful to be the basis of any inference.

<sup>6</sup> The payment to the baker himself.

<sup>7</sup> Yeast.

<sup>8</sup> A bolting cloth.

<sup>9</sup> Twenty pence to the ounce; see the patent of 2 R. II. quoted as a note in Record Edition of *Statutes*, i. 200.

<sup>10</sup> Whole meal bread.

solidis et sex denariis tunc debet posse  
panis viginti octo sol. Quando pro  
ponderare viginti quatuor sol. et a  
Quando pro quatuor solidis et sex  
triginta sol., et alius quadraginta sol.

Quando pro quatuor solidis tunc de  
sol. et alius quadraginta sex sol.

Quando pro tribus solidis et sex de  
quadraginta duos sol. et alius quinqua

Quando pro tribus solidis tunc de  
octo sol. et alius sexaginta quatuor sol.

Quando pro duobus solidis et sex de  
are quinquaginta quatuor sol. et alius

Quando pro duobus solidis tunc de  
sol. et alius quatuor libras.

Quando pro octodecim denariis tu  
ginta sex sol. et alius quatuor libras et

Et sic deinceps ad plus vendicionis  
ad minus vendicionis frumenti maior pa

(Explicitur leges illustrissimi et in  
secundi filii Matillidis predice imperati

Other sorts of bread occasionally men-  
which I take to be tourta, and to co-  
sigala, though this grain was rarely grown  
Rogers' *Prices*, i. 174): from the frequen-  
*Albus* (i. 259, 265, 338, 704, and es-  
appears to be bread made of coarse  
how this would differ from bread de omo.  
In the assize in Arnold's *Chronicle* where  
specified the 'loaf of all manner of grain'  
as a wheat loaf (p. 56). On the other  
mixtilionis, which appears to have been  
grains, and of horse bread which was  
Glossary to *Liber Albus* sub *payn pur ch*.

The various loaves mentioned in this  
made of wheat and of wheat only: but  
which is attributed to the time of Henry  
jurors who settle the assize of bread should  
price, not merely of wheat but of oats.  
*bus* too has a special clause *de venditione*  
the adulteration of oatmeal. It appears  
wastel bread was given as sufficiently  
other wheat loaves, so the price of wheat  
rye bread, or any other bread was to be  
the evidence we have that other bread  
the allowances of servants on estates,  
believe that it was never exposed for sale.

The mode of proceeding in attempting  
bread is fully described in the Romney  
ii. 337.

## B. MANORIAL RECORDS.

## I. EXTENTS.

THE three following entries are taken from the extents of Manors at different dates. The first is a remarkably detailed survey of the Manor of Borley in Essex; it was taken in the first year of Edward II. and it shows the obligations and position of the villans before the services were commuted for money. At the time when this extent was taken the manor of Borley belonged to the King. Edward I. had procured it, along with other lands and castles, for a sum of 20,000 marcs; it continued to be vested in the Crown till 1346, when King Edward III. granted it to Christchurch, Canterbury, in exchange for all the rights of the convent in the port of Sandwich and Isle of Sheppey (Morant, *Essex*, II. 318). The extent is now transcribed from a book in the British Museum which belonged to Christchurch (Add. mss. 6159), into which it was probably copied at the time when the monastery came into possession of this manor.

Three illustrations are appended of the nature of the change which occurred when lands were let at a rent, and the services were commuted for money. The information about Barrington is extracted from an extent which occurs in a book of deeds relating to property there, written in a fifteenth century hand, and now in the muniment room of Trinity College, Cambridge. It shows that before the third year of King Edward III. the services of the villans were all valued, so that they might be actually rendered or else paid in money; they were then commuted for regular rents.

The extract from the Winslow Court Rolls is from the twenty-first year of Edward III., that is before the Black Death, and is interesting as showing that the Abbey endeavoured to maintain the collective responsibility of the tenants for the money payments, just as they had been collectively responsible for services. The other cases occurred after the Black Death. There are two extents of the manor of Rustington, Sussex, in a fifteenth century hand in a ms. (O. 1. 25) in the Trinity College Library at Cambridge: one of these was made in the third year of Edward III., and the other in the eighth year of Edward IV. They illustrate very clearly the change which was going on at this time. From another document in the same book it appears that a considerable alteration occurred in the forty-second year of Edward III., and there were farther changes in the twenty-first of Richard II., as we learn from the body of the later extent. One or other of these is probably the event which is referred to by a clerical error in the extract as occurring in the twentieth year of Edward III.

## 1. EXTENTA MANERII DE BORLE.

¶ Extenta Manerii de Borlee facta ibidem die mercurii proxima post festum sancti Mathaei Apostoli Anno domini MCCCCVIII regno Regis Edwardi filii Regis Edwardi primo, coram Johannem le Doo Seneschallo per manus Willielmi de ffolesham clerici per sacramentum Philippi le Reve de Borlee, Henrici Lamberti, Dionissii Rauf, Ricardi atte Mere, Walteri Johan et Roberti Ernald tenentes domini in predicta villa de Borlegh, Qui omnes jurati dicunt quod est ibidem unum mesuagium bene ¶ Mesu- et rationabiliter edificatum et sufficit pro exitibus manerii et gium. continet in se infra situm manerii quatuor acras per estimationem. Et valet herbagium inde per annum per estimationem ij s. ¶ Et curtilagium inde valet per annum xij d. aliquando plus et ali- ¶ Curtila- quando minus secundum quod appreciatur. Et gardinum inde ¶ Gardi- valet per annum ut in pomis et uvis vinearum cum acciderint v s. num. et aliquando plus. ¶ Summa viij s.

¶ Et sciendum quod dominus est verus patronus ecclesie de ¶ Advo- Borlee, et valet dicta ecclesia ut in Bladis oblatis subventionibus catio Eccle- siarum. et aliis minutis decimis per annum secundum taxationem x libras.

¶ Et ibidem unum molendinum aquaticum in manerio, et Molendi- valet per annum ad dimittendum ad firmam lx s. Et piscarium num cum in stagno<sup>1</sup> valet per annum per estimationem cum avalatione piscario. Anguillarum de gurgitibus xij d. ¶ Summa lxi s.

¶ Est ibidem unus boscus vocatus le Hoo et continet in se ¶ Boscus. x acras, et valet herbagium inde per annum v s. Et suboscus inde valet per annum, et hoc sine wasto, v s. Et pannagium<sup>2</sup> inde valet per annum xii d. Et ibidem quidam alias boscus vocatus Chalvecroft et continet in se v acras cum fossatis. Et valet herbagium inde per annum ij s. vi d. Et suboscus inde valet per annum iij s. Et pannagium valet inde per annum vi s. ¶ Summa valoris xvij s.

¶ Sunt ibidem de terra arabi in dominico in diversis ¶ Terre in campis ccc acre terre per minus centum. Et valet per annum dominico. ad dimittendum, xv li. precium acre xij d.

¶ Summa aclararum ccc.

¶ Summa valoris xv li.

¶ Et sciendum quod pertica terre in isto manerio continet xvi pedes et dimidium ad terram mensurandam. Et quelibet acra potest congrue seminar de ii bussellis et dimidio frumenti, de duobus bussellis et dimidio siliginis, de ii bussellis et dimidio pisorum, de iij bussellis avene, et hoc annulatim et de iiiij<sup>or</sup> bussellis ordei per mensuram rasam<sup>3</sup>. Et quelibet caruca debet

<sup>1</sup> Weir or milldam.

<sup>2</sup> Payment for permission to feed swine in the lord's wood.

<sup>3</sup> Corn was either heaped in the bushel, or straked so as to fill the measure and no more; this latter was *mensura rasa*. When the bushel was heaped (*cumulata*) an allowance was made *pro cumulo* in keeping the reckoning; see below, p. 526.

jungi de iiij<sup>or</sup> bobus et iiij<sup>or</sup> affris. Et caruca potest communiter arrare per diem unam acram terre et aliquando plus.

¶ Pratum Sunt ibidem de prato falcabili in diversis locis xxix acre et falcabile. i roda. Et valent per annum vij li. vi s. et iij d. premium acre v s.

¶ Summa aclarum xxix acre, i roda.

¶ Summa denariorum vij li. vi s. iij d.

¶ Pastura Sunt ibidem de pastura separabili xxvij acre et valent per separabilis. annum xlii s. premium acre xvij d. de quibus xvi acre assignantur vaccis pro daeria. Et xii bobus et stottis.

¶ Summa xlii s.

¶ Pastura Sciendum quod dominus potest habere in communia pasture (sic) de Borlee cum esiamento ffriscorum et dominicorum domini tempore aperto<sup>1</sup> C bidentes per maius centum<sup>2</sup>.

Et valet pastura cujuslibet capitis per annum ij d. et non plus propter resumptionem cibi Berkari. ¶ Summa xx s.

¶ fines et Est ibidem quedam curia de libere tenentibus domini et perquisite curie et Lete.

¶ fines et custumaris de iii septimanis in iij septimanas. Et valent fines et perquisite inde per annum cum visu franci plegii xx s.

¶ Summa patet.

¶ Libere Willielmus filius Radulphi Miles tenet de domino xvij acras reddendo inde per annum ad pascha xvij d. ad festum Sancti Michaelis xvij d.

¶ Henricus de Latheleye tenet de domino l acras terre reddendo inde per annum ad Pascha xxi d. et ad festum Sancti Michaelis xxi d. Et debet sectam curie.

¶ Johannes de Lystone tenet de domino in Borlee xl acras terre et iij acras prati reddendo inde per annum ad festum Sancti Michaelis vj d. pro omnibus serviciis.

¶ Willielmus Joye tenet de domino unum mesuagium et xx acras terre et ii acras prati et dimidiam acram pasture, reddendo inde per annum ad festum Sancti Michaelis xij d. Et debet sectam curie.

¶ Hugo atte ffen tenet de domino vi acras terre et dimidiam acram prati et i rodam pasture, reddendo inde per annum ad predictos duos terminos ij sol. ix d. Et debet sectam curie.

¶ Reginaldus Crummelond tenet de domino xii acras terre reddendo inde per annum x s. et debet sectam curie.

¶ Willielmus le Yachter tenet de domino in dominico et servitio ij acras terre et dimidiam acram prati, reddendo inde per annum ad Pascha et ad festum sancti Michaelis per equales portiones vij d. Et debet sectam curie.

¶ Tenentes terræ Simonis Aunsel videlicet.

<sup>1</sup> When the temporary fencing was removed and all the fields lay open.

<sup>2</sup> He might pasture 100 sheep, by the greater hundred, i.e. 120.

¶ *Johannes Aunsel tenet unum cotagium et unam rodam Molmen<sup>1</sup>. terre. ¶ Rogerus atte Remete iiiij<sup>r</sup> acras et iii rodas terre, Ricardus Gakoun ij acras terre. ¶ Willielmus Oslock' i acram terre. ¶ Augustus le Clerk' ij acras et dimidiam terre. ¶ Walterus Morel iij acras terre. ¶ Dionisius Raufus i rodam prati. Et reddunt inde per annum videlicet ad Pascha ix d., et ad festum Sancti Michaelis ix d. Et ad purificationem de Unthiel ij s. ij d. ob. q. Et ad Natale domini unam gallinam precii i d. ob. Et invenient ii homines metentes ad unum Bedrepe<sup>2</sup> in autumpno pro voluntate domini ad cibum domini ut patet inferius. Precium cuiuslibet operis ij d. Et facient sectam curie.*

¶ *Willielmus Oslock tenet de domino i mesuagium et xx acras terre et i rodam prati, Reddendo inde per annum ad predictos ij terminos iij s. Et de Unthiel ad purificationem Beate Marie ij s. ij d. ob. q. Et ad Natale domini i gallinam precii i d. ob. Et metet in autumpno ad unum Bedrepe per duos homines ad cibum domini ut supra. Et debet merchet. Et facit sectam curie.*

¶ *Summa redditus assise de termino Sancti Michaelis libere tenentium ix s. viii d.*

¶ *Item v s.*

¶ *Summa termini purificationis de Unthiel per annum iij s. v d. ob.*

¶ *Summa redditus termini pasche viij s. ij d.*

¶ *Item v s.*

¶ *Summa Gallinarum de termino Natalis domini iij d.*

¶ *Walterus Johan tenet de domino in villenagio unum <sup>Custum-</sup> mesuagium et x acras terre Reddendo inde per annum ad festum <sup>arit.</sup> Purificationis Beate Marie de Hunthiel ijij s. v d. ob. Et ad Pascha xx d. ob. Et ad festum Sancti Michaelis xxi d. ob. Et ad festum Natalis domini i gallinam et dimidiam galline i d. ob. Et a festo Sancti Michaelis usque ad festum Sancti Petri ad Vincula qualibet septimanis tria opera per unum hominem sine cibo domini precium operis ob. Exceptis iibus septimanis, videlicet septimanis Natalis Domini, Pasche, et septimanis Pentecostes in quibus non operabunt, nisi indigeat de necessitate pro blado in autumpno ligando, et fenis<sup>3</sup> levandis. Et arabit cum caruca sua, sive iungat sive non iij<sup>r</sup> acras terre domini sine cibo domini precium cuiuslibet acre v d. q<sup>4</sup>, unde ii acras tempore seisoni frumenti<sup>5</sup> et ii acras ad avenam. Et cariabit finia<sup>6</sup> domini in manerio cum equo et caretta sua ad cibum domini, videlicet qualibet die i panem et dimidium siliginis unde de quarterio debent fieri xl panes. Et sarclare bladum<sup>7</sup> domini quamdui fuerint sarclandum et allocabitur*

<sup>1</sup> Men holding in villanage but paying money rent, with light services. Vinogradoff, *Eng. Hist. Rev.* i. 784. Round, *Ibid.* ii. 108.

<sup>2</sup> Reaping done at the lord's bidding.

<sup>3</sup> Hay.

<sup>4</sup> Time for sowing wheat (autumn).

<sup>5</sup> Manure.

<sup>6</sup> To weed the corn.

in operibus suis. Et debet falcare<sup>1</sup> prata domini videlicet i acram et tertiam partem unius acre per mensuram ydoneam. Et allocabitur in operibus suis, videlicet pro qualibet acra iij opera.

¶ Et sciendum quod quandocunque ipse simul cum aliis custumaris ville falcaverint pratum de Rainholm, habebunt ex consuetudine iii bussellos frumenti ad panem et unum Hurtardum<sup>2</sup> precii xvij d., et i lagenam butyri et unum caseum ex daeria domini post meliorem, et sal et farinam avene pro patagio suo et totum lac matutinale de omnibus vaccis totius Daerie ad ipsum tempus. Et sparget, levabit et cumulabit predictam acram et dimidium feni et cariabit ad manerium et allocabitur in operibus suis. Et habebit pro qualibet opere falcationis tantum de herbagio viridi cum falcauerit, quantum poterit levare super punctum falcis sue. Et cum cariaverit dictum fenum habebit in fine dicti cariagii de feno plenum corpus caretiae sue. Et metet in autumpno a festo Sancti Petri ad Vincula usque ad festum Sancti Michaelis per totum autumpnum xxij opera sine cybo domini precium operis i d. Et cariabit bladum domini et tassabit et allocabitur in operibus suis. Et habebit quotiens cariaverit i garbam vocatam meneschef<sup>3</sup>, et averabit cum equo suo xii leucas circa manerium ad pondus duorum bussellorum salis, vel iii bussellorum frumenti, siliquinis et pisorum et fabarum. Et de avena iij bus. avene. Et debet querere predictum bladum ad granarium domini cum predicto equo et sacco proprio. Et habebit quotiens averaverit de avena quantum potest ter in manu sua palmare et levare poterit. Et si non averaverit nihil dabit set allocabitur pro qualibet (sic) averu i opus precium ob. Et dabit auxilium et faciet sectam curie. Et dabit merchetum pro filia sua maritanda ad voluntatem domini.

¶ Idem Walterus tenet i toftum qui continet ij acras terre. Et faciet a festo Trinitatis usque ad Gulam Augusti<sup>4</sup> qualibet septimana ij opera precium operis ob. Et pro dimidio tofto qualibet septimana per idem tempus i opus precium ut supra. Et a Gula Augusti usque festum Sancti Michaelis qualibet septimana i opus et dimidium sine cibo domini precium operis i d. Et habebit j garbam vocatam Tofschef<sup>5</sup> quantum poterit ligare in quodam ligamine metato et non abradicato<sup>6</sup>, neque cum radicibus ne terra extracto.

¶ Ricardus atte Mere tenet de Domino in villenagio xx acras terre reddende inde per annum de Unthield ad festum purificationis iij s. v d. ob. et ad pascha xvi d. Et ad festum Sancti Michaelis xvij d., et ad Natale domini i gallinam precii ut supra. Et operabit a festo Sancti Michaelis usque ad festum Sancti Petri ad vincula qualibet septimana ut Walterus Johan.

<sup>1</sup> To mow.

<sup>2</sup> Men's sheaf, which two reapers received while at work, Scrope, *Castle Combe*, 50.

<sup>3</sup> Possibly the sheaf received by the holder of a toft who worked in harvest; Spelman gives *tofman*, the owner of a toft.

<sup>4</sup> August 1. *Lammas Day*.

<sup>5</sup> Stubble was much valued, and in reaping a great deal of straw was left.

Et arrabit, cariabit timum, s  
sparget, cumulabit et ad Mane  
averabit et faciet omnia alia  
Johan. Et dabit auxilium et :

¶ Idem Ricardus tenet  
Trinitatis usque ad Gulam Au  
precium ut supra. Et a festo  
Michaelis qualibet septimana i

¶ Robertus Ernald tenet  
terre reddendo inde et faciendo  
omnibus sicut dictus Ricardus  
merchet et faciet sectam curie.  
facit in omnibus et singulis sicut

¶ Matilda Davy tenet de d  
reddendo inde et faciendo in on  
Mere. Et etiam pro tofto suo  
auxilia et faciet merchet et secta

¶ Philippus le Reve tenet  
terre reddens inde per annum et  
Unthield ij s. ii d. ob. q. Et a  
Sancti Michaelis viij d. Et ad  
i d. Et arrabit, cariabit famos,  
sparget, cumulabit. Et faciet c  
terra predicti Ricardi atte Me  
sectam curie.

¶ Idem Philippus tenet uni  
servicia ut predictus Ricardus at

¶ Dionisius Rolfus tenet de  
terre reddendo inde et faciendo  
serviciis ut predictus Ricardus  
quod tenet faciet in omnibus et  
Dionisius tenet unam acram terre  
ad festum pasche et sancti Micha

¶ Petrus ad crucem tenet d  
terre. Reddendo inde et faciendo  
et servicia ut predictus philippi  
quod tenet facit in omnibus sicut  
curie.

¶ Edmund Nel tenet de don  
reddendo inde per annum et facie  
philippus. ¶ Idem Edmund tenet  
omnibus omnia servicia medietates.

¶ Wualterus de Lynton' tenet  
acras terre Reddendo inde et faci  
tudines ut predictus Philippus le I

¶ Idem Wualterus tenet de  
facit in omnibus sicut predictus Ec

¶ Aschelot le Yonge tenet de domino in villenagio x acras terre et dimidium toftum et facit in omnibus ut predictus Walterus de Lynton'.

¶ Henricus Lambert tenet de domino x acras terre et dimidium toftum. Et facit in omnibus et singulis sicut Walterus de Lynton'. Et insuper pro quadam strata vocata Rapstrete ij d. per annum.

¶ Johannes Rolf tenet de domino x acras terre et dimidium toftum. Et facit in omnibus serviciis sicut dictus Walterus. Et pro quadam Rapstrete ii d. per annum.

¶ Johanna Gille, Willielmus Gille et Petrus Gille tenent x acras et dimidium toftum, et faciunt in omnibus serviciis sicut dictus Walterus de Lynton'.

¶ Agnes Selone tenet de domino x acras terre et dimidium toftum. Et facit in omnibus serviciis et consuetudinibus sicut dictus Walterus.

¶ Thomas de Reculver clericus tenet de domino quamdam terram vocatam Stanegroundeslond que continet x acras terre et dimidium toftum. Et facit omnia alia servicia et consuetudines in omnibus serviciis sicut dictus Walterus de Lyntone.

¶ Willielmus Warengus et Matilda Warengus tenent de domino in villenagio v acras terre. Et reddunt inde per annum ad festum purificationis beate Marie de Unthield xij d. ob. Ad pascha iij d. Ad festum sancti Michaelis iij d. q. Et ad Natale domini j gallinam precii ut supra. Et facit in omnibus aliis serviciis et consuetudinibus medietatem ut terra Philippi le Reve.

¶ Idem Willielmus et Matilda tenent unum toftum et faciunt in omnibus sicut predictus Philippus.

¶ Idem Willielmus tenet v acras terre per se. Et facit in omnibus serviciis et consuetudinibus medietatem ut predictus philippus. Et pro quarta parte unius tofti quod tenet, facit quartam partem sicut et alii solvunt pro tanto tenemento.

¶ Idem Willielmus debet pro Warengerestrete ij d. per annum ad terminos prescriptos.

¶ Willielmus Faber tenet de domino vi acras terre pro ferramento carucarum domini de proprio ferro eiusdem domini fabricando. Et reddit de Unthield xii d. ob. q.

¶ Dionisius State tenet de domino in villenagio v acras terre, et quartam partem unius tofti, Reddendo et faciendo in omnibus et singulis per annum sicut dictus Willielmus Warengus pro v acris terre et quarta parte unius tofti sui.

¶ Nicholaus Hervy tenet de domino in villenagio v acras et iij<sup>ta</sup> partem j tofti, reddendo et faciendo in omnibus per annum sicut dictus W. Warengus pro tanta terra.

¶ Willielmus Selone tenet de domino in villenagio v acras terre et iij<sup>ta</sup> partem j tofti, Reddendo inde et faciendo in omnibus per annum sicut dictus W. Warengus pro tanta terra.

¶ Margeria Simondes tenendo inde et faciendo in octanta terra.

¶ Walterus Arnewy tenet terre reddendo inde et facie Margeria.

¶ Mabillia atte Mere tendendo et faciendo in omnibus e

¶ Mabillia Nicole tenet et faciendo in omnibus et singu

¶ Idem Walterus Mabil tenent unum toftum reddendo Philippus le Reve pro tofto suo

¶ Radulfus Denys tenet inde per annum in omnibus si propter hoc debet aperire sulco domini, tempore seisoni frument quamdui fuerint spargenda qu aperierit neque firma sparserit ni

¶ Mabillia de Alfetone et domino j toftum et faciunt in o Dynis.

¶ Willielmus Nenour tenet qualibet septimana operabili j op festo sancti Michaelis usque festo Sancti Petri ad Vincula u qualibet septimana j opus precio

¶ Walterus Selone tenet de omnibus sicut Walterus Nenour.

¶ Et sciendum quod si pr Solone tritutaverint bladum in domino de foragio quantum pot rastro in area dicte Grangie con prato domini eum congregaverin extat memoria, ut dicitur.

¶ Sciendum quod omnes cust in autumpno per unum diem ad u habebunt inter eos vj bussellos fru furnitum et potagium et carnem v carnis bovine et caseum et cervis custumarii operabunt in autumpn habebunt vi bussellos siliginis a est. Potagium ut prius, et alleces vi alleces et caseum ut prius et aqu

¶ De termino Michaelis.	Summa redditus assise custumarii de termino Sancti Michaelis per annum	xviii s. xi d. ob. q.
¶ Purificationis.	Summa redditus de Unthield de termino purificationis	lv s. vii d.
¶ Paschalis.	Summa redditus de termino Pasche.	xvii s. ii d. ob.
¶ Natalis domini.	Summa redditus Gallinarum dictorum custumariorum de termino Natalis Domini	ii s. xi d. q.
	Summa redditus assise de termino pasche. tam libere tenentium quam custumariorum	xxv s. iv d. ob.
	Summa redditus eorumdem de termino sancti Michaelis per annum xxvij s. vij d. Item x s. ad predictos terminos	lx s. ob.
	Summa Custumorum vocatorum Unthield ad purificationem beate Marie per annum	iii s. ii d. q.
	Summa redditus Gallinarum de Natali domini	cxvij s. iii d.
	Summa summarum predictarum cum Unthield per annum	
¶ Item de Reginald' Crummelond' x s. redditus per annum inveniente...post extentam factam.		
Opera.	¶ Sunt ibidem de operibus custumariis ut patet superius a festo sancti Michaelis usque ad gulam Augusti per xliij septimanas mcccc iiiij <sup>xx</sup> et v opera per septimanam iij opera.	
	¶ Et de duobus cotagiariis per idem tempus iiiij <sup>xx</sup> viii opera de quolibet eorum per septimanam i opus.	
	¶ Et de xvij toftmen a festo sancte Trinitatis usque ad gulam Augusti per x septimanas ccc et xx opera precium cuiuslibet operis ob. de quibus retractatur pro iij septimanis videlicet Natali Pasche et Pentecostes allocandis. Et etiam pro ij cotagiis et pro arruris gabule...ad seisonas diversas allocandis, clii opera. Et remanent indccxlj opera precium operis ob.	
	¶ Summa iij li. vij s. viij d. ob.	
	¶ Sunt ibidem de exitu predictorum custumariorum xxij gabule et dimidia quarum quilibet gabula debet arrare super terram domini ad diversas sezonas. Et valet gabula ad commodum domini ad omnes seisinas x d. ob.	
	¶ Summa xix s. viij d. q.	
	¶ Sunt ibidem de operibus autumpnaliis predictorum custumariorum a gula Augusti usque ad festum sancti Michaelis cccc xxij opera precium operis ij d.	
	Summa xlj s. ij d.	

¶ Summa totius valoris per extentam xljj li. xix s. ob. q.

¶ Item de Reginald' Crummelond' x s. per annum inveniente post confectum extente ut supra, de quibus retractis vij d. redditus debiti Domine ffelicie de Sencler per annum pro quodam prato vocato Baselyemeade apud Radbrygge.

¶ Remanet xljj li. xvij s. v d. ob. q. ¶ Item. x s. ut supra.

¶ Et sciendum quod dominus prior Ecclesie Christi Cantuariensis habet libertatem suam in villa de Borlee. Et habet Infangenethief<sup>1</sup>, et Utfangenethief<sup>2</sup> cum manu opere capto videlicet Honhabbande<sup>3</sup>, Bakberande<sup>4</sup>. Et furce judiciales eiusdem libertatis stant et debent stare ad Radbrigge. Et inde ad inquendum de pilloria et Trebuchet<sup>5</sup>. Et inquisitum est quod debetur stare extra portas exteriores versus occidentem iuxta porcarium domini.

¶ Et memorandum quod quocienscunque indigerit quod iij Notandum. homines et praeposum extiterint coram iusticiariis in itinere vel alibi videlicet ad gaolas domini Regis deliberandas vel alibi ubicumque fuerint. Dominus debet invenire duos homines sumptibus suis coram eisdem iusticiariis. Et villata de Borlee sumptibus suis iij homines invenient. Et hoc per consuetudinem a tempore quo non extat memoria ut dicitur.

¶ Et sciendum quod si quis custumarius domini in isto Notandum. manerio obierit Dominus habebit de herietto<sup>6</sup> meliorem bestiam ipsius tenentis tempore mortis sui inventam. Et si bestia non habuerit, dabit domino pro herietto ij s. vi d. Et heres faciet finem domino pro tenemento quod fuit patris sui, si sibi viderit expedire, sin autem nichil inde habebit. Salvo tamen uxori eiusdem tenentis defuncti toto tenemento quod fuit viri sui die quo obiit ad tenendum de domino ut liberum bancum suum ad terminum vite sue, si se tenuerit sine marito, et faciendo servicia domino inde debita et consueta. ¶ Si autem per licenciam domini se maritaverit, heredes predicti defuncti predictum tenementum per licenciam domini intrabunt et uxorem relictam dicti defuncti de medietate dicti tenementi dotabunt.

## 2. COMMUTATION OF SERVICES FOR RENT. BARRINGTON.

Sequitur servicium quod dicti tenentes tenentur facere annuatim sub hac forma. Memorandum quod dimidia virgata terre custumabilis in villa de Barenton de homagio domini Ricardi de Mulfichet dabit operari per annum viz a ffesto sancti Michaelis

<sup>1</sup> Jurisdiction over a thief caught on the manor.

<sup>2</sup> Jurisdiction over any of the men of the manor taken for felony, out of his fee.

<sup>3</sup> When the thief had stolen goods in his hand.

<sup>4</sup> When the thief was bearing stolen goods on his back.

<sup>5</sup> A tumrel.

<sup>6</sup> In early times the horses and arms of military vassals went to the king when they died, and a similar obligation was long discharged by villains with inferior animals.

usque ad Natale Domini in qualibet quindena tres operaciones precium operis ob. Et debet arrare per unum diem et dimidium et erit allocata pro tribus operacionibus. Et valet arrura si non arat vi d. Et debet herciare quinque dies cum j equo et allocabuntur ei v operaciones, et valet si non herciat v d. Et dabit ad festum sancti Martini j d. ad Warhpayn et y d. ad Slayrecher et ii gallinas ad Natale domini precii ii d. Et debet averare ter per annum et erit allocatum pro tribus operacionibus. Et si sit foris per unam noctem habebit sibimet cibum et equo suo de custu domini, et erit allocatum de qualibet averag[i]o ii operaciones et valet vi d. Et faciet quarterium brasii contra Natale domini vel ii d. Et inveniet foragium ad ii equos domini per ij noctes infra Natale domini ad domum suam si dominus habet hospitem. Et debet operare a Natali domini usque ad Pascha in qualibet quindena, iij operaciones precium operis ob. Et debet arrare per i diem et dimidium et erit allocatum pro tribus operacionibus, et valet si non arat vj d. Et faciet j quarterium brasii<sup>1</sup> contra pascha vel ij d. et dabit x oua ad pascha et valent ob. Et debet operare a pascha usque ad festum sancti Johannis Baptiste in qualibet quindena iij operaciones precium operis ob. Et debet arrare per unum diem et dimidium. Et erit allocata pro iij operibus. Et valet si non arat vi d. Et debet operare a festo sancti Johannis Baptiste usque ad gulam Augusti in qualibet quindena iij operaciones precium operis ob. Et falcabit holmum domini infra clausum et omnes custumarii simul \*\*\* pro multone suo precium x d. ob. Et falcabit alium pratum et levabit pro iij operibus. Et sarclabit per unum diem pro amore, viz quod a festo sancti Michaelis usque ad gulam augusti quem debet triturare pro operibus xxiiij garbas frumenti triturabit pro uno opere et xxx ordei pro uno opere et tantum fabarum et pisorum pro i opere. Et si ad opus fecerit operabit a mane usque ad nonam pro uno opere. Et de gula augusti usque ad festum sancti Michaelis debet in qualibet quindena v operaciones per totum diem cum j homine precium operis j d. et ob. Et debet facere iij precarias per iij dies qualibet die cum iij hominibus et habebit cibum suum. Et debet facere iij lovebones post precarias cum j homine suo opere et suo cibo precium cuiuslibet i d. et ob. Et cariabit xvi carectas bladi suo opere precio cuiuslibet carecte ob. Et falcabit j sellionem de dolo domini si dominus vult, et cariabit ad hospicium domini pro j opere. Et si sit dimidia acra falcabit pro ij operibus et dabit dimidiad aucam ad festum sancti Michaelis precio j d. Et dabit j garbam frumenti propter quod equi sui manducant dum intrant bladum suum aliqua occasione.

Et sciendum quod infra xij dies Natalis domini, septimanas pasche et Pentecostes quietus erit ab omni opere, et si dies operacionis sue sit in die apostoli vel in alio ffesto de quo habetur vigilia quietus est ab omni opere, et consuetudine. Et non potest ponere filium suum ad studium neque maritare filiam suam

<sup>1</sup> Malt.

*sine licentia domini. Ista vero opera supra dicta mutata sunt in pecuniam et sic isto die non faciunt opera sed solvunt ut sequitur.* [The names and payments follow.]

WINSLOW. (Monday after S. Ambrose Ep. in the twenty-first year of Edward III.) *Dimissio terrarum.*

*Memorandum quod omnes tenentes infra scripti tam de Winstowe quam de Greneburgh concedunt pro se et suis heredibus quod quoctens et quando redditus terrarum et pasturarum infrascriptus aretro esse contigerit ad aliquem terminum in parte vel in toto, quod dominus per ballivos suos in omnibus aliis terris et tenementis que de domino tenantur in Winstowe et in Greneburgh predictis possit distingere et districtos retinere quousque de predictis redditibus sive arreragis, plenarie fuerit satisfactus. Et preterea omnes heredes predictorum tenantium finem facient cum domino post mortem antecessorum suorum pro ingressu habendo in tenementis predictis ad voluntatem domini. Et heretabit etc.*

A later entry shows that a considerable area of land was again let in the forty-second year of Edward III.

#### RUSTINGTON.

*Notandum quod omnes virgate terre et dimidie virgate et fferthinglondes ab antiquo tenebantur in bondagio prout patet per custumas predictas, et postquam magna pestilencia fuit, viz in tempore Eduardi tertii, aliqua tenure inde uno tempore et aliquo alio, permisso fuere in manus domini, et postea dimisso per dominum pro certis redditibus prout patet per antiquam compositionem de anno Eduardi iij xx<sup>o</sup> [sic]. Et sic alterata fuit tenura bondagii et custumaria operibus et serviciis. Et sic modo tenantur ad voluntatem domini.*

Nomina nativorum domini de sanguine huic manerio suo pertinentium, viz. (but the names are not added).

#### II. COMPOTUS ROLL.

This remarkably full statement of the accounts of a Hertfordshire Manor gives an admirable picture of the whole system of estate management. It shows that in this case a considerable number of services were still rendered in the old fashion and not commuted for money at the beginning of the fifteenth century. Anstie had temporarily escheated to the Crown as its owner the Duke of York had died in the previous August and his son had not yet done homage for it. Clutterbuck, *Hertford.* III. 341. The Roll is at the Record Office among the Exchequer Records, and is numbered Q. R. Minister's Account, No. 547/31.

## ANSTY HERTE. 2 &amp; 3 Henry IV.

Ansty } Compotus Wilhelmi Wodeward prepositi *ibidem*  
 } a festo Sancti Michaelis anno regni Regis Henrici  
 Quarti post Conquestum secundo usque in Crastinum ejusdem  
 festi tunc proximum sequentem anno Regni Regis predicti tertio  
 videlicet per unum annum integrum.

Arreragia } De arreragiis ultimi sui compoti precedentis *nil*  
 } hic quia solvuntur *super compotum suum*.  
 Summa nulla.

Redditus Assise<sup>1</sup> } Idem oneratur de lx s. iij d. ob. de redditu  
 } assise *ibidem termino Sancti Andree Apostoli*.  
 Et de ij d. de redditu assise *ibidem termino Natalis Domini*.  
 Et de lvij s. xij d. de redditu assise *ibidem termino Annunciationis Beate Marie*. Et de xij s. iij d. de redditu assise *ibidem termino Pasche*. Et de vij d. ob. de auxilio vicecomitis ad eundem terminum. Et de lix s. iij d. de redditu assise *ibidem termino Nativitatis Sancti Johannis Baptiste*. Et de xiiij s. ij d. ob. q<sup>2</sup>. de redditu assise *ibidem termino Sancti Michaelis*. Et de vij d. ob. de auxilio vicecomitis ad eundem terminum. Et de ij d. de incremento redditus v acrarum terre libere quas Johannes Whass nativus Domini perquisivit per cartam de Henrico Pake *per annum ad eundem terminum*. Et de ob. de incremento redditus dimidie acre terre libere quam Thomas Ode nativus Domini perquisivit per cartam de dicto Henrico *per annum ad eundem terminum*. Et de ij s. de incremento redditus unius columbarii edificati super tenementum Ricardi Reymound sic eidem Ricardo concessi per licenciam Domini Tenendi eidem Ricardo et heredibus suis de Domino per annum ad eundem terminum. [De xij d. de novo redditu ejusdem columbarii *nil* hic nec decetero quia predictus redditus condonatur predicto Ricardo et heredibus suis per Dominum ut patet per litteras Domini patentes auditori directas super hunc compotum ostensas et penes eundem Ricardum remanentes Datas apud Heriffordiam iij<sup>to</sup> die Decembri anno regni Regis Henrici quarti secundo<sup>3</sup>.] Et de v d. de novo redditu unius tofti et iij acrarum terre libere vocate Paskates quas Petrus Phippe nativus Domini perquisivit per cartam de Johanne Paskat *per annum ad eundem terminum*.

Summa x li. x s. ob. q.

Firme<sup>4</sup> } Et de iij s. de Roberto Tryndeleygh pro firma  
 } tenementi quandam Alicie Milward sic eidem dimissi  
 per annum Solvendis terminis Andree Annunciationis Beate  
 Marie et Nativitatis Sancti Johannis Baptiste equaliter et solebat  
 dimitti pro vij s. Et de x s. de eodem pro firma tenementi

<sup>1</sup> A fixed rent, which was paid by the free tenants.

<sup>2</sup> This passage cancelled in the original.

<sup>3</sup> Rents at which the land was let from time to time; it appears that there had been a fall in rents.

Hacchisland sic eidem dimissi  
annorum hoc anno iiiij<sup>to</sup> et solebat  
vj s. ix d. de firma vj acrарum  
dimissарum diversis hominibus ]  
Et de xij d. de Wilhelmo Joye p  
Ethomisacre per annum ad eos  
Mauricio Longe pro firma tenem  
Johannis Mervyn sic eidem din  
xvij<sup>dm</sup> annorum hoc anno xj<sup>mo</sup> et  
v s. de Mauricio Wodeward pro  
anno ad eosdem terminos et solebat  
de eodem pro firma unius acre ter  
Northayfeld juxta terram Bandom  
Et de v s. de Johanne Longe p  
acrарum terre native quondam F  
eidem per annum ad eosdem te  
Johanne Perlebien et Wilhelmo I  
v acrарum terre native quondam  
Ratelers sic eis dimissorum per s  
de vj s. de Johanne Ode pro firma  
native quondam Ricardi filii  
Waldyng nuper tenuit sic ei dimis  
xij<sup>dm</sup> annorum hoc anno viij<sup>o</sup>. E  
pro firma tenementi quondam Jol  
per annum pro omnibus serviciis e  
per annum ad eosdem terminos.  
firma unius mesuagii et v acr  
Ruddexs que Wilhelmus Arnald  
per annum ad eosdem terminos. l  
pro firma tenementi quondam Wi  
Vauwe nuper tenuit sic ei dimissi  
annorum hoc anno viij<sup>o</sup>. Et de  
firma tenementi et v acrарum  
Andreux que Robertus Wyse nuper  
annum ad terminum xij<sup>dm</sup> annorum  
Mauricii Sothman pro firma uni  
native vocatorum Clates que Wil  
sic eidem Mauricio dimissorum pe  
annorum hoc anno ii<sup>o</sup>. Et de  
firma unius acre et dimidie ter  
Matilda Drivere nuper tenuit pro  
tentium per escaetam causa felonie  
sic dimissарum eidem Johanni pe  
Et de vj d. de eodem Johanne p  
Weston quondam Johannis le R  
eidem Johanni dimisse per annum  
hoc anno xj<sup>o</sup>. Et de xvij d. de Ri

<sup>1</sup> Precarie, Boon days, or occasional d  
addition to the regular week work.

crofti vocati Crowescroft cum j acra terre adjacente sic eidem dimissi per annum ad terminum xvij<sup>th</sup> annorum hoc anno xj<sup>o</sup>. Et de iij s. viij d. de Johanne Doraunt pro firma ij croftorum vocatorum Whelymers continentium v acras terre native parcellam de xv acris warecti<sup>1</sup> terre native quondam Johannis Reymound de Wodestrete per annum ad eosdem terminos. Et de x d. de Johanne Helder pro firma j acre et iij rodarum terre native parcella dicti tenementi in Berstall feld que Wilhelmus Kent nuper tenuit sic ei dimissarum per annum ad terminum xvij<sup>th</sup> annorum hoc anno xxj<sup>mo</sup> (sic) ut patet per rotulum curie de anno regni regis iiiij<sup>o</sup>. Et de xiiij d. de eodem Johanne pro firma ij acraru[m] terre native parcella dicti tenementi sic dimissarum eidem per annum ad eosdem terminos. Et de x d. de Henrico Colsweyn pro firma unius acre et dimidie terre native et unius rode prati parcella dicti tenementi sic ei dimissarum per annum ad terminum xxj<sup>th</sup> annorum hoc anno x<sup>mo</sup>. Et de viij d. ob. de Ricardo Thruston pro firma unius acre et unius rode terre native parcella dicti tenementi sic ei dimissarum per annum ad terminum xvij<sup>th</sup> annorum hoc anno xvij<sup>o</sup>. Et de viij d. de Nicholao Reymound pro firma unius acre et dimidie terre native parcella dicti tenementi in Berstallefeld vocatarum le Thonge sic ei dimissarum per annum ad terminum xvij<sup>th</sup> annorum hoc anno xvij<sup>o</sup>. Et de iij d. de Roberto Tayllour pro firma iij rodarum terre native parcella dicti tenementi sic dimissarum eidem Johanni per annum ad eosdem terminos. Et de iij d. de Johanne Baroun pro firma dimidie acre terre native parcella dicti tenementi sic dimissem eidem Johanni per annum ad terminum xxj<sup>th</sup> annorum hoc anno xj<sup>o</sup>. De firma ij acraru[m] et dimidie terre native parcella dicti tenementi nil hoc anno pro defectu conductionis<sup>2</sup>. Et de ij s. de Ricardo Reymound pro firma unius tenementi minoris tenure vocati Beckes quod Wilhelmus Kene prius tenuit per opera sic dimissi eidem Ricardo per annum ad eosdem terminos. Et de iiiij s. de Thoma Vyne pro firma unius tenementi et v acraru[m] terre native vocatorum Rauenies que Nicholaus Goodzeer prius tenuit per opera nuper in tenura Alicie Lavender ex concessione Domini tenenda eidem Alicie ad terminum vite sue modo sic dimissorum eidem Thome per annum ad terminum xvij<sup>th</sup> annorum hoc anno x<sup>o</sup> et solebat dimitti pro v s. Et de iij s. de Wilhelmo Algood pro firma unius mesuagii et iij acraru[m] terre native vocatorum Coupers tenement que Johannes Milnere nuper tenuit per opera sic dimissorum eidem Wilhelmo et heredibus suis per annum ad eosdem terminos ut patet per Rotulum Curie de anno regni regis iiiij<sup>o</sup>. Et de vj s. viij d. de Thoma Martyn pro firma unius mesuagii et viij acraru[m] terre native cum pertinentiis quondam Henrici Joye que Wilhelmus Arnald nuper tenuit per opera modo sic dimissorum eidem Thome per annum ad terminum xxij annorum hoc anno xiiiij<sup>o</sup>. Et de xvij d. de Domino Johanne Caules rectore pro firma unius

<sup>1</sup> Fallow.

<sup>2</sup> For default of a lessee.

crofti continentis j acram terre native cum pertinenciis vocatum  
 Hewlotes Croft quod *Wilhelmus Joye* nuper tenuit modo sic  
 dimissi eidem Domino Johanni per annum ad terminum xij<sup>th</sup>  
 annorum hoc anno et solebat dimitti pro ij s. Et de viij s. vj d.  
 de *Wilhelmo* Ode pro firma unius tenementi majoris tenure cum  
 pertinenciis quondam *Ricardi Buntyng* quod *Thomas Saman*  
 nuper tenuit per opera sic dimissi eidem *Wilhelmo* per annum pro  
 omnibus serviciis ad terminum xvij<sup>th</sup> annorum hoc anno xj<sup>mo</sup>.  
 Et de iiij d. de *Johanne* Ode pro firma unius acre terre dominice  
 jacentis apud Hungerhul nuper in tenura *Johannis Thressher* modo  
 sic dimissis eidem *Johanni* ad terminum viij<sup>th</sup> annorum hoc anno  
 x<sup>mo</sup> (sic). Et de viij d. de eodem *Johanne* pro firma ij acrarum  
 terre dominice cum pertinenciis parcella dicta pecie sic dimissarum  
 eidem *Johanni* per annum ad terminum xxj<sup>th</sup> annorum hoc  
 anno v<sup>to</sup>. Et de iiij d. de *Johanne* Baroun pro firma unius acre  
 terre dominice cum pertinenciis parcella dicta pecie sic dimissis  
 eidem *Johanni* per annum ad terminum xl<sup>th</sup> annorum hoc anno x<sup>o</sup>.  
 Et de iiij d. de *Wilhelmo Togood* pro firma unius acre terre  
 dominice cum pertinenciis jacentis apud *Smetheshul* sic dimissis  
 eidem *Wilhelmo* et heredibus suis per annum ad eosdem terminos  
 ut patet per *Rotulum Curie* de anno regni regis xix<sup>o</sup>. Et de viij s.  
*Nicholao Reymound* pro firma unius tenementi majoris tenure  
 cum pertinenciis quondam *Nicholai Horsman* quod idem *Nicholao*  
*Reymound* prius tenuit per opera sic dimissi eidem *Nicholao*  
 per annum pro omnibus serviciis nativis ad terminum xij<sup>th</sup>  
 annorum hoc anno v<sup>to</sup>. Et de iiij d. de *Wilhelmo Crench* pro  
 firma unius acre et unius rode terre dominice jacentium apud  
 Hungerhul sic dimissarum eidem *Wilhelmo* per annum ad ter-  
 minum xx<sup>th</sup> annorum hoc anno ij<sup>do</sup>. Et de viij s. de *Ricardo*  
*Stokwell* pro firma unius tenementi et x acrarum warecti de  
 Molond existentium in manu Domini per escaetam causa abju-  
 racionis<sup>1</sup> et felonie quas *Wilhelmus Martyn* fecit sic dimissorum  
 eidem *Ricardo* ultra antiquum redditum et servicia per annum  
 ad terminum xij<sup>th</sup> annorum hoc anno ij<sup>o</sup>. Et de viij s. vj d. de  
*Johanne* Ode pro firma unius tenementi majoris tenure continentis  
 x acras warecti terre native cum pertinenciis que dictus *Johannes*  
 nuper tenuit per opera sic dimissi eidem et heredibus suis pro  
 omnibus serviciis nativis per annum ut patet per *Rotulum Curie*  
 de anno Regni Regis Henrici Quarti secundo. Et de v s. de  
*Johanne Helder* pro firma unius tenementi et v acrarum warecti  
 terre native cum pertinenciis vocatorum *Whelers* que dictus  
*Johannes* nuper tenuit per opera sic dimissorum eidem *Johanni*  
 per annum ad terminum ij<sup>orūm</sup> annorum ut patet per *Rotulum*  
*Curie* hujus anni. Et de xij d. de *Nicholao Rediswell* pro firma  
 ij acrarum terre dominice in *Bandenfeld* sic dimissarum eidem  
*Nicholao* per annum ad terminum xxij<sup>or</sup> annorum ut patet per  
*Rotulum Curie* hujus anni. Et de iiij s. j d. de *Ricardo Helder*

<sup>1</sup> A man or woman who had committed felony and taken sanctuary was permitted to make an oath that he or she would leave the realm as soon as possible, and could escape by this means if they preferred not to stand a trial.

pro firma vij acrarum terre dominice et unius rode et dimidie pasture parcella dictie pecie terre vocate Bayllyhul sic dimissarum eidem Ricardo per annum ad terminum  $xx^{\text{ti}}$  annorum ut patet per Rotulum Curie hujus anni. Et de xvij d. de Johanne Frer pro firma ij acrarum iij rodarum terre dominice apud Hirchounsheg sic dimissarum eidem Johanni per annum ad terminum vj annorum ut patet per Rotulum Curis hujus anni.

Summa vij li xij s. ix d. ob.

Opera vendita } Et de iiij s. v d. de cvj operibus yemalibus } venditis extra premium operis obolus. Et de iiij s. iiiij d. de xl operibus autumpnalibus venditis extra premium operis j d. Summa vij s. ix d.

Exitus manerii } Et de vj s. de firma xij gallinarum hoc anno } pro capite vj d. Et de j d. de xx ovis gallinarum de redditu venditis extra. Et de xvij s. de iiij acris ij rodis subbosci venditis in ambobus boscis hoc anno pro acra iiij s. Et de iiij d. de spinis venditis in Busswode hoc anno. Et de x s. de raceinie<sup>1</sup> et croppes querculorum in Busswode venditis hoc anno in grosso. Et de vj s. de stramine albo vendito diversis hoc anno. Et de iiij s. de stramine pisorum vendito hoc anno. Et de x d. de stramine vendito bercarie hoc anno. Et de iiij d. de corio unius vituli de morina vendito extra. Et de ls. vj d. de feno vendito diversis hoc anno. Et de ij s. iiij d. ob. de ij acris ij rodis warecti venditis Johanni Frer hoc anno. Et de viij s. j d. de diversis sepsis venditis hoc anno. Et de xx d. de veteri meremio<sup>2</sup> cuiusdam pistrine<sup>3</sup> tenementi Rauenes prostrata per ventum vendito hoc anno. Et de xij d. de ij pectis veteris meremii venditis per warentum. Et de ij s. de loppis et raceinis meremii prostrati pro molendino venditis Johanni Nhote hoc anno. Et de loppis fraxinorum<sup>4</sup> in Rookwode venditis Simoni Warenn ij s. Et de vj d. de ij pectis veteris meremii venditis per warentum.

Summa cxij s. vj d. ob.

Perquisita Curis } Et de xxiv s. v d. de j curia tenta ibidem } die Lune proximo ante festum Simonis et Jude. Et de x s. viij d. de j curia tenta ibidem die Jovis proximo post festum sancti Hilarii. Et de xxiv s. ix d. de j curia cum visu tenta ibidem die Sabbati in Vigiliis Transfigurationis. Et de iiij s. xj d. de j curia tenta ibidem die Lune in festo Sancti Jacobi. Summa lxiiij s. ix d.

Venditio pasture } Et de ix d. de pastura circa sepes bercarie } vendita Johanni Baroun. Et de ix d. de pastura circa Milleheg eidem vendita. Et de vj d. de pastura per sepes circa gardinum eidem vendita. Et de iiij d. de pastura in La Stonydane vendita. Et de iiij d. de pastura per sepes

<sup>1</sup> This appears to be a latinised form of the French *racine*, from the low Latin *radicina*. The phrase stands for Roots and branches.

<sup>2</sup> Timber.

<sup>3</sup> Bakery.

<sup>4</sup> Ash-trees.

exopposito tenemento Johannis Helder eidem vendita. Et de xvij d. de pastura subtus tenementum Wilhelmi Togood vendita Johanni Frer hoc anno. Et de xv d. de pastura de La Teenacres vendita Wilhelmo Thomas hoc anno. Et de vjs. receptis de pastura in terra frisca<sup>1</sup> tam pro iiiij vitulis ablactatis quam pro bestiis diversis ultra scitum<sup>2</sup> manerii ibidem pasturandis hoc anno. De agistamento<sup>3</sup> in campo post autumpnum nil hic quia amerciatur in Rotulo Curie. De pastura apud La Lygh nil causa supradicta et eciam quia depasta cum bidentibus Domini. De pastura subtus boscum Prioris nil quia subter et dimittitur ad firmam supra in titulo firmarum. Et de iijs. iiijd. de pastura apud La Hale cum una parva pecia terre frisce subtus croftum Roberti Wyse in eodem campo vendita Domino Johanni Caules rectori hoc anno. Et de iiijs. de agistamento equorum diversorum in Estwode vendito hoc anno.

Summa xvij s. vij d.

Venditio bladi } Et de xlviij s. de ix quarteris frumenti  
} venditis extra pro quarterio v s. iiijd. Et de  
iiij li. xix s. de xvij quarteris iiiij bussellis frumenti venditis  
hospicio Domini extra pro quarterio vjs. Et de xlrij s. iij d. de  
xij qr. vij bu. pisorum venditis ad diversa precia. Et de xxxj s.  
vij d. de ix qr. iiiij bu. drageti venditis qr. ad iijs. iiijd. Et de  
vij li. vjs. x d. de xl v qr. iiiij bu. ordei venditis qr. ad iijs. vij d.  
Et de iiiij li. ij s. de xx qr. iiiij bu. ordei venditis extra qr. ad iiijs.  
Et de xxx s. vij d. de xj qr. iiiij bu. avene venditis hospicio Domini  
apud Waltham quarterium ad ij s. vij d. Et de iiiij li. ix s. vij d.  
de xxxij qr. v bu. avene venditis extra quarterium ut supra. Et  
de xvij s. de vj qr. avene venditis extra quarterium ad iijs.  
Summa xxx l. ix s. jd.

Venditio Stauri } Et de xxxij s. de iiij bovettis venditis extra  
} mense Octobris pro capite vij s. Et de  
xvj s. de ij stottis debilibus venditis extra mense Junii. Et de  
iiij s. de xij aucis venditis extra pro capite iiijd. Et de vij s.  
iijd. de xxv caponibus venditis extra pro capite iiijd. Et de  
xx d. de x gallinis de redditu venditis extra pro capite ij d.  
Summa lxij s.

Firma Vaccarum } Et de lxxv s. de firma xv vaccarum ad  
} plenam firmam existentium pro capite v s.  
Summa lxxv s.

Chevagium<sup>4</sup> } Et de xij d. de chevagio Wilhelmi Breustere de  
} Walkerum nativi Domini pro licencia morandi  
extra dominium per annum. Et de vj d. de chevagio Johannis  
Horsman de Mesden nativi Domini pro licencia morandi extra  
dominium per annum.  
Summa xvij d.

<sup>1</sup> Waste land.

<sup>2</sup> The curtilage of the manor-house.

<sup>3</sup> The taking in of other people's cattle to graze.

<sup>4</sup> A capitation payment, or poll tax.

*Redditus et recepta forinseci* } Et de xl s. de firma de  
manerium per annum. Et de lx s. de prima escaeta causa felonie  
quam Radulphus Reymound fecit. Et de xxv s. vj d. de parte  
ultime escaete causa felonie quam idem Radulphus fecit ut patet  
per Rotulum Curie hujus anni. Et non plus quia diversa staura  
et hostilamenta<sup>1</sup> ejusdem escaete appreciata ad lxij s. reservantur  
ad opus Domini.

*Summa* vj li. v s. vj d.

*Venditio super compotum* } Et de ix s. j d. de diversis rebus  
} venditis super compotum extra.

*Summa* ix s. j d.

*Summa totalis receptorum* lxxij li. viij s. viij d. ob. q.

*Allocationes et defectus redditus* } Inde in defectu redditus  
} tenementi vocati Hacchis-

lond quia in manu Domini et ad firmam per annum terminis  
Andree Annunciationis Beate Marie et Nativitatis Sancti Johannis Baptiste xvij d. In defectu redditus tenementi quondam Johannis Reymound de Wodestrete per annum ad eosdem terminos xij d. In defectu redditus tenementi quondam Ricardi Buntyng per annum ad eosdem terminos xij d. In allocatione redditus Johannis Nhote messoris<sup>2</sup> pro officio suo per annum ad eosdem terminos v s.

*Summa* viij s. viij d.

*Custus carectarum* } In ferro et ascere<sup>3</sup> emptis pro ferramento  
} ij carectarum fabricatarum hoc anno viij s.  
vj d. In stipendio fabri pro fabricatione earundem ix s. iiiij d. In  
iiiij stradcloutis<sup>4</sup> emptis pro pecia ij d. ob. x d. In ij Rusteschon<sup>5</sup>  
emptis pro pecia iiij d. ix d. In iiiij ferris pedalibus emptis xv d.  
In iiiij duodenis ferrorum equinorum emptis tam pro equis carec-  
tarum quam pro stottis ferrandis hoc anno pro duodena ix d. iiij s.  
In [mille] clavorum equinorum emporum tam pro dictis ferris  
quam pro veteribus firmandis pro centena iiij d. ij s. vj d. In  
stipendio fabri pro impositione et r...cione dictorum ferrorum  
ex consuetudine ultra frumentum extra ij s. In stipendio car-  
pentarii tam pro factura novarum carectarum de meremio Domini  
hoc anno quam pro cooperata axacione carectarum<sup>6</sup> et herciarum<sup>7</sup>  
manerii ex consuetudine per annum iiij s. vj d. In uno vomere  
de novo empto ij s. iiiij d. *Summa* xxxiiij s.

*Custus carrorum* } In unctura empta pro carris iiij d. In  
} dimidio corio dealbato empto pro harnesiis  
reparandis viij d. In ij reynes de cannabe emptis pro capistris.  
[j d.] *Summa* xij d.

<sup>1</sup> Stores and household goods.

<sup>2</sup> The hayward, an official who looked after the seed paid by the villans and the sowing, and who had an allowance made in his rent in consequence of discharging these duties. Compare *Fleta*, ii. 84.

<sup>3</sup> Steel.

<sup>4</sup> Mr Hall informs me that this means axle-pins.

<sup>5</sup> Rusteschon is probably old horse-shoes.

<sup>6</sup> Fitting the axle to the wheels and body of the wain.

<sup>7</sup> Harrows.

Empcio bladi et stauri } In xxiiij  
bus faci  
iiij vitulis emptis de firmario vaccaru  
iiij s.

Minuta } In oblatione iiij famulo  
carectarii pro die Na  
die ij d. x d. In oblatione eorunden  
in die ob. ij d. ob. In pergamento e  
et Extractus quam pro isto Comptok  
emendacione iiij parium catenarum  
iiij d. In stipendio Mauricii Longe fa  
de virgis Domini viij d. In stipendio  
tarri de novo facientis unum alveum  
pro vitulis iiij d. In una serura equin

Custus Domus } In stipendio Ma  
super longum sta  
bulum carectarum per iiij dies [et] di  
iiij d. xiiij d. In stipendio Alicie E  
eidem per idem tempus viij d. In sti  
pentarii vergentis granarium infra per  
et minutis clavis emptis ad idem viij d.

Custus Molendini et bidentum } Ir  
pendio molendinarii circulantis le trend  
molendinario cubanti dictam novam p  
tudine xij d. In stipendio Wilhelmi J  
meremium pro iiij postibus novis ur  
whepe<sup>4</sup> unius overway ac eciam bord  
parte molendini ex consuetudine in g  
kyngs et clavis emptis pro dictis bord  
In expensis prepositi et unius molendin  
brigiam pro dicta petra molare emenda  
petre molaris una cum expensis ipsi  
famulorum et equorum manerii ac al  
eundo et redeundo omnibus in den  
avene ut extra ij s. iiij d. In j lagena r  
ungendis<sup>5</sup> viij d. In una lagena butiri  
eodem pro unctura inde habenda viij d.

Trituracio et vannacio<sup>7</sup> } In vj qr. i  
ad taschar  
In vj qr. avene trituratis ad tascham pro

<sup>1</sup> Hurdles.

<sup>4</sup> The sail of a windmill.

<sup>7</sup> Threshing and winnowing.

<sup>2</sup> Bit and reins.

<sup>5</sup> Carriage or

diversorum bladorum tam de triturations famulorum quam ad tascham vannatis ad tascham pro qr. ob. q<sup>o</sup>. iij s. iij d. ob.

Sarculatio et falcatio<sup>1</sup> } In bladis Domini sarculandis ultra  
} opera custumariorum et molemen-  
norum hoc anno vs. x d. In v acris [et] dimidia herbagii fal-  
candis ad tascham hoc anno pro acra viij d. iij s. viij d. In dicto  
herbagio spargendo levando et in feno faciendo ut in servisia data  
eisdem custumariis et molemennis ultra auxilium famulorum hoc  
anno iij d. et non plures acre falcate ad tascham quia xxj acre  
falcate per opera custumariorum et molemennorum et non plures  
pro tenementis que sunt in manu Domini hoc anno. In uno  
homine conducto ad falcandum cum eisdem custumariis et mole-  
mennis loco tenentis Rauenis quia in manu Domini et ad firmam  
supra viij d. Et pro tenemento quandam Henrici Joye causa  
predicta viij d. Et pro tenemento quandam Ricardi Buntyng  
causa predicta viij d. Et pro tenemento Whelers causa predicta  
iij d. Et pro tenemento quandam Nicholai Horsman causa  
predicta iij d. Et pro tenemento quandam Thome Ode causa  
predicta iij d. et non plures quia faciunt opera sua ut molemenni.  
Et pro tenemento messoris causa officii sui iij d. De ij d. pro  
uno tofto cum ij acris dimidia terre de molagio<sup>2</sup> vocato Claces  
existente in manu Domini per sursum reddicionem<sup>3</sup> Hugonis  
Blunvyle et Agnetis uxoris sue usque ad plenam etatem heredis  
nulla allocatio hic nec decetero quia tenementum predictum in  
opus hoc anno. Et sciendum [est] quod Mauricius Wodeward  
facit predictum alternato anno. De iij d. pro tenemento quandam  
Wilhelmi Martyn existente in manu Domini causa supradicta  
nulla allocatio hic nec decetero quia tenementum predictum in  
manu Domini et ad firmam supra cum operibus suis. In caseo  
empto pro eisdem custumariis et molemennis falcantibus in pratibus  
Domini ex consuetudine viij d. In feno predictarum xxj acrarum  
falcatarum per opera levando et faciendo nil quia per opera  
custumariorum et molemennorum de consuetudine.

Summa xij s. ix d.

Custus Autumpni } In ij<sup>o</sup> xxx allecium per minus centum  
} emptis tam pro expensis c<sup>u</sup>s custumario-  
rum et molemennorum venientium quasi per unum diem ad ij siccas  
precarias<sup>4</sup> in autumpno de consuetudine ut extra quam pro expensis  
unius messoris unius caretarii iij famulorum carucariorum et  
unius bercarii quorum custumarii et molemenni quilibet habebat  
ij alleces precii quadrantis et predicti viij famuli quilibet similiter  
habebat ad utramque precariam ij alleces precii quadrantis ex  
consuetudine ij s. iij d. ob. q<sup>o</sup>. In xxix acris dimidia frumenti  
metendis et ligandis ad tascham pro acra vj d. xijij s. ix d. In xlij

<sup>1</sup> Weeding and mowing.

<sup>2</sup> Molmen's land.

<sup>3</sup> The surrender of a holding into the hands of the lord.

<sup>4</sup> Precarie when no beer was allowed. Apparently 'sicca precarie' might fall  
on dies operabiles and the tenant then was excused from rendering the less valuable  
service. See below under opera autumpnalia.

acris dimidie pisorum et avene meten  
acra v d. xvij s. j d. ob. In xxj acris  
gandis ad tascham pro acra viij d. xiiij  
messoris famulis ligandis ad taschan  
carii xij d. In expensis famulorum  
et colligencium diversa blada ut ext  
meiancum blada in grangiam hoc  
compoto precedente iij s. iiiij d. In v  
pro famulis manerii x d. In candel  
In expensis famulorum ad eorum  
xvij d. In stipendio unius Repreve  
habuerunt.

Stipendia } In stipendio preposi  
} prout allocatum est  
stipendio firmarii qui est etiam loco  
In stipendio clerici scribentis hunc  
stipendio iij famulorum carucariorum  
capiente per annum xij s. lx s. In  
consuetudine per annum x s. Et  
vesturam unius rode frumenti et uniu  
consuetudine ut extra et vocantur co  
percipiet vesturam unius rode frumen  
avenie.

Vadia et annuetates } In vadiis Sin  
} ford per temp  
ex concessione Domini ad terminum vi  
et warennarum ut patet per litteras  
compotum ostensas et penes eundem  
apud London x<sup>o</sup> die Novembris anno  
ij<sup>o</sup> lx s. x d. Et soluti Johanni Harw  
per annum eidem Johanni concessa  
Ducem Eboracensem et Comitem Cant  
percipienda annuatim de Dominio de  
manerio ad terminos Pasche et Se  
porciones ut patet per litteras Dom  
Johannem remanentes aliter super  
litteram Domini de warento preposito  
potum ostensam et penes eundem pre  
ij<sup>o</sup> die Aprilis anno regni Regis Ricar  
et Sancti Michaelis hoc anno xl s. Et  
annuetate xxxij s. iiiij d. per annum  
dictum Dominum ad terminum vite s.  
hoc manerio ad terminos Pasche et Se  
porciones ut patet per litteras Dom  
directas aliter super compotum ostens

<sup>1</sup> *Ripgoos.* This may have been the Kern-su  
<sup>2</sup> Dairy woman.

tum remanentes *Datas xxvij die Aprilis anno regni Regis Ricardi xxij<sup>o</sup> pro terminis Pasche et Sancti Michaelis hoc anno xxxij s. iiiij d.*  
Summa vj li. viij s. vj d.

*Expensa senescalli cum feodis } In expensis senescalli curie coronatoris clerici sui et aliorum ibidem existentium ad unam curiam ibidem tentam propter inquisitionem et appreacionem bonorum et catallorum Radulphi Reymound felonis ac eciam quo die dictus Radulphus abjuravit regnum Anglie omnibus computatis in denariis v s. Et soluti senescallo tenenti curiam Domini ibidem pro feodo suo per annum ex precepto Domini et consilii sui xij s. iiiij d.*

Summa xvij s. iiiij d.

*Expensa forensica } In expensis prepositi equitantis apud Waltham ex precepto Petri Mavan senescalli hospicii Domini pro frumento et avena providendis pro dicto hospicio eundo et redeundo per ij vices hoc anno xij d. Et soluti Johanni Child coronatori et clero suo pro feodis suis existentibus ibidem die quo Radulphus Reymound abjuravit regnum Anglie ut supra v s.*

Summa vj s.

*Liberatio Domini } Liberatio Henrico Bracy thessaurario hospicii Domini tam in denariis quam victu ultimo die Februarii ut patet per quandam indenturam sigillo ipsius signatam xij li. xij s. iiiij d. Et eidem per eandem indenturam x<sup>mo</sup> die Marcii xj li. vj s. viij d.*

Summa xxij li. xix s.

*Summa omnium expensarum et liberationum xlviij li. xvij s. x d. ob. q<sup>o</sup>. Et debet xxij li. xj s. ix d. E quibus allocati eidem xj d. pro agistamento unius vituli Racc [?] ibidem. Et eidem xvij d. de rewardo facto servientibus ibidem ad potandum. Et eidem xx d. pro j vitulo anno predicto similiter dissolutos. Summa allocata iij s. xj d. Et sic debet xxij li. viij s. x d. quos solutos super compotum Thesaurarii. Et quietus est.*

[*Back of the Roll.*]

*Anesty } Exitus grangie ibidem de anno Regni Henrici Quarti primo.*

*Frumentum } Idem respondit de iiiij<sup>o</sup> ij qu. j bu. di. mensura rasa de toto exitu grangie ibidem hoc anno ultra vesturam ij rodarum ejusdem exitus liberatam famulis manerii et messori ex consuetudine anno precedente. Unde trituratis et vannatis ad tascham viij bu. cumulatos vj qr. iiiij bu. Et pro cumulo ad idem j bu. di. Et per famulos secundum xxj pro xx lxxv qr. v bu. di. Et pro avantagio ad idem iij qr. vj bu. Et de j bu. frumenti de mutuo novi grani respondit pro liberatione famulorum.*

Summa iiiij<sup>o</sup> vj qr. ij bu.

Inde in semine super lxxix ac seminis in Hoomfeld hoc anno xxij ij bu. di. plus in toto di. bu. per tu Nhot messorem et seminatorem et pre stipendio prepositi per annum capiens prout aliter est in compoto precedent ad mixturam famulorum inferiorum furnato pro expensis custumariorum Domini de consuetudine hoc anno iiiij xij panes et non plures quia non plures In pane furnato pro expensis ejus custum ultra expensas messoris et famulorum in venientium ad ij siccas precarias in A quilibet percipiet j panem unde fuit consuetudins et xv custumariorum percipiet similiter ad vesperam j pan unde fiunt de bussello xv panes et voc di. In vendicione hospicio Domini in cumulo ad idem iij bu. Et venduntur avantage ad idem iij bu. di. Datus ferrure equorum caretarum et stottij bu. In stipendio unius garcionis spa manas ad seasonam frumenti et xlo ca bu. iij bu. di.

Summa

Pisa } Et de xxij qr. viij bu. { respondit de toto exitu grani tributatis et vannatis per opera me Et pro famulis secundum xxij pro xx avantage ad idem iij bu. Su

Inde in semine super xxix acras ter in Northayfeld ix qr. per tallagium corij bu. di. minus in toto di. bu. Et litorum inferioris ij qr. viij bu. di. In ver Et pro avantage ad idem v bu.

Summa

Ordeum } Et de lxxvij qr. ordei { toto exitu grangie ibid ratis et vannatis per opera mensura famulos secundum mensuram suprad pro avantage ad idem ij qr. viij bu.

Inde in semine super xxij acras sectionem seminis in Hoomfeld hoc anno contra eundem sic capiens acra iij bu. qr. Et pro avantage et cumulo dat e

Summa

<sup>1</sup> Furrows.

*Dragetum* } Et de ix qr. iiiij bu. drageti mensura rasa re-  
 } spondit de toto exitu grangie ibidem hoc anno  
 trituratis per famulos. Et pro avantagio ad idem iij bu. di.

*Summa* ix qr. vij bu. di.

Inde in vendicione infra ix qr. iiiij bu. Et pro avantagio dato  
 ad idem iij bu. di. *Summa* que *supra*. Et eque.

*Avena* } Et de iiij<sup>xx</sup> viij qr. ij bu. avene mensura rasa  
 } respondit de toto exitu grangie ibidem hoc anno  
 ultra vesturam ij rodarum ejusdem exitus liberatam famulis man-  
 erii et messori ex consuetudine anno precedente. Unde trituratis  
 et vannatis per opera mensura rasa xxxvij qr. v bu. per famulos  
 eadem mensura xl [iij<sup>l</sup>] qr. v bu. Et pro avantagio secundum ix  
 bu. pro quarterio v qr. iiiij bu. Et ad tascham eadem mensura vj qr.  
 Et pro avantagio ad idem vj bu. Et de vj bu. ejusdem exitus per  
 estimationem in lx garbis liberatis pro sustentatione iiiij vitulorum  
 ad staurum Domini reservatorum. Et de xv qr. iiiij bu. de toto  
 residuo ejusdem exitus per estimationem in m<sup>l</sup> ij<sup>c</sup> xl garbis libera-  
 tis equis caretariis et stottis manerii loco sue prebende ut patet  
 per dietam inferius hoc anno. Et de j bu. avene de mutuo novi  
 grani. *Summa* c<sup>m</sup>x qr. vij bu.

Inde in semine super iiij<sup>xx</sup> viij acras dimidiam terre per esti-  
 matione seminis in Northayfeld hoc anno xxxij qr. j bu. per  
 tallagium contra eundem sic super acram iij bu. minus in toto di-  
 bu. In farina facta pro potagio famulorum hoc anno j qr. iij bu.  
 In prebenda ij equorum careturarum a festo Michaelis usque Gulam  
 Augusti per vices prout laborabant per estimationem in cl garbis hoc  
 anno j qr. vij bu. In prebenda xij stottorum ad seasoniam fru-  
 menti prout laborabant per estimationem in cc garbis hoc anno ij qr.  
 iiiij bu. In prebenda eorundem a xx<sup>o</sup> die Januarii usque x<sup>mm</sup> diem

Maii videlicet per ex noctes per estimationem in viij iij<sup>xx</sup> x [i.e. iiij<sup>xx</sup>] garbis hoc anno xj qr. j bu. capientum qualibet nocte inter se viij garbas plus in toto ij garbas. In sustentacione iiiij vitulorum ad staurum Domini reservatorum hoc anno per estimationem in lx garbis eisdem liberatis supra vj bu. In vendicione hospicio Domini infra xj qr. iiiij bu. Et pro avantagio ad idem j qr. iij bu. di. In vendicione in patriam xxxix qr. v bu. Et pro avantagio ad idem secundum ix bu. pro quarterio et xxj qr. pro xx viij qr. di. bu. Liberati Simoni Waren pro perdicibus ex precepto Thesaurarii Hospicii Domini ij bu. In prebenda stottorum carantium unam petram molarem pro molendino de Cantabrigia usque Anesty j bu. novi grani. *Summa* que *supra*. Et eque.

*Multura molendini* } Et de vj qr. iiiij bu. multure molendini  
 } sic dimissi Ricardo molendinario hoc  
 anno et non plus propter defectum petre molaris.

*Summa* vj qr. iiiij bu.

Inde liberati ad mixturam famulorum inferius vj qr. ij bu.  
 Et allocati eidem Ricardo molendinario pro tempore quo molendi-  
 num quassatum fuit per magnum ventum ac eciam stetit ociosum  
 tempore reparacionis ij bu. *Summa* que *supra*. Et eque.

Et de xxv qr. v bu. di. frumenti ij q  
ij bu. mixture molendini respondit supra  
Summa

Mixtura famulorum } Inde in liberi  
} iiiij famulorum  
bercarii per annum quolibet eorum cap  
unde ij partes frumenti et ij pars mix  
bla molendini desunt j bu. frumenti et  
eiusdem xxix qr. ij bu. In liberatione  
seminis et xl<sup>o</sup> et per viij<sup>o</sup> septimanas  
capiente ad quanlibet seasoniam vj bu.  
ex consuetudine ij qr. ij bu. unde ij partes  
unius firmarii vaccarum qui est etiam  
annum ij qr. ij bu. frumenti capiente  
septimanas. Summa qr

Seminantur ibidem cum diversis genet  
supra ccxx acre.

Acre seminata } Inde in liberationib  
} consuetudine pro fir  
conducte pro lacte inde habendo vestura  
avene hoc anno et vocantur cowrods. I  
sotulis<sup>1</sup> suis in autumpno ex consuetudine  
menti et j rode avene hoc [anno] et vocant  
bantur per opera Autumpnalia inferius  
siccas lxvij acre pro denariis infra iiiij<sup>o</sup>  
famulos xxiiij acre di. Summa qu

Equi car- } Et de ij equis carectorum de  
} catarum } ij. Et remanent ij equi c

Stotti } Et de xij stottis de remanent  
} nientibus per escaetam causa  
Reymound fecit ut patet per Rotulum Cur  
Inde in vendicione infra mensem Jun  
Ode ex precepto Auditoris.  
Summa iij. Et r

Taurus } Et de j tauru de remanente.  
} j taurus.

Vacce } Et de xv vaccis de remanent  
} remanent xv vacce.

Bovetti et juvence } Et de iiij bo  
} Et de iij ju  
juvencularum inferius.

Inde in vendicione infra mensem  
Summa iij. Et remanent iij juvence.

<sup>1</sup> A plainly written but unintelligible word; tituli  
C.

*Boviculi et juvencule* } Et de iij juvenculis de remanentibus.  
 } Et de j boviculo et ij juvenculis de ad-  
 junctione vitulorum annalium inferius. *Summa vj.*

Inde in adjunctione cum juvencis *supra* iij juvencule. *Summa*  
*iii.* Et remanent j boviculus et ij juvencule.

*Vituli de exitu* } Et de iiiij vitulis de remanentibus. Et de  
 } iiiij vitulis de exitu emptis de firmario vac-  
 carum ex consuetudine firme sue. *Summa viij.*

Inde in adjunctione cum boviculis et juvenculis *supra* j  
 vitulus mas et ij female. In morina<sup>1</sup> mense Octobris ut patet  
 per Rotulum Curie j vitulus mas.

*Summa* *iiij.* Et remanent *iiij* vituli quorum ij mas (sic) et ij  
 female.

*Coria cruda* } Et de corio unius vituli de morina *supra*.  
 } *Summa* *j.* Et venditur infra. Et nil remanet.

*Auce* } Et de j auce (sic) et *iiij* auciis maribus de remanentibus.  
 } De *iiij* auciis de redditu ad Gulam Augusti nil hic  
 quia tenebantur in manu Domini et ad firmam ut patet in titulo  
 firmarum infra. Et de *xv* auciis de exitu dictarum *iiij* aucarum  
 marium per annum ex certa consuetudine facta per Dominum  
 Rogerum de Wylesham cum firmario vaccarum.

*Summa* *xix.*

Inde in decimis data j. In expensis famulorum ad eorum  
 Ripgoos in fine Autumpni ij. In venditione infra *xij.*

*Summa* *xv.* Et remanent j auca et *iiij* auce mares.

*Capones* } Et de *xxij* caponibus de remanentibus. Et de  
 } *xxij* caponibus de factura pulcinorum interius  
 emptorum hoc anno. Et de ij caponibus de redditu ad terminum  
 Pasche. *Summa* *l.*

Inde in defectu redditus tenementi quondam Nicholai Hors-  
 man quia in manu Domini et ad firmam j capo. In venditione  
 infra *xxv.* *Summa* *xxvj.* Et remanent *xxij* capones.

*Galli et galline* } Et de j gallo et *xij* gallinis de remanentibus.  
 } Et de j gallo et *xvj* gallinis de redditu  
 custumariorum ad Natale Domini. *Summa* *xxx.*

Inde in defectu tenementi redditus quondam Johannis Rey-  
 mound de Wodestrete tenementi Hacchisland tenementi quondam  
 Johannis Breustere et tenementi quondam Wilhelmi Longe quod  
 Wilhelmus Dauwe nuper tenuit et reliquit quia ad firmam *iiij*  
 galline. In defectu tenementi vocati Claces tenementi vocati  
 Buntyngea et tenementi quondam Nicholai Horsman *iiij* galline.  
 In venditione *x.* *Summa* *xvij.* Et remanent j gallus et *xij*  
 galline.

<sup>1</sup> Murrain.

Ova } De exitu gallinarum nil hic quia galline ad firmam.  
 } Sed de iij<sup>xx</sup> xv ovis de redditu custumariorum ad  
 festum Pasche. Summa iij<sup>xx</sup> xv ova.

Inde in defectu redditus tenementi vocati Hacchisland xv ova tenementi quondam Johannis Reymound de Wodestrete tenementi quondam Johannis Breustere tenementi vocati Buntyngegs tenementi quondam Nicholai Horsman et tenementi quondam Thome Ode causa supradicta l ova pro qualibet tenemento x ova. Et pro tenemento quondam Wilhelmi Longe et tenemento vocato Claces x ova pro utroque tenemento v ova. In venditione infra xx ova. Summa que supra. Et eque.

Pulcini } De pulciniis de exitu gallinarum nil hic quia galline  
 } ad firmam infra. Sed de xxiiij pulciniis de emptis infra.

Summa xxiiij. Et fiunt in capones. Et nil remanet.

Cyncibrum } Et de j uncia cyncibri de redditu ad terminum  
 } Sancti Michaelis.

Summa j uncia. Et liberata auditori super compotum. Et nil remanet.

Fenum } Et de feno xj prati de remanente. Et de feno  
 } xxvij acrarum di. prati de exitu pratorum ad opus  
 Domini falcate hoc anno unde in Selkemeed vij acre di. et in  
 Hoommed xxj acre. Summa feni xxxix acre di.

Inde in decimis datum fenum ij acrarum iij rodarum prati.  
 In expensis equorum carucarum [et] stottorum manerii equorum  
 charactarum equorum senescallii equorum auditoris et aliorum  
 de consilio Domini ibidem superveniencium hoc anno x acrarum.  
 In venditione infra fenum xvj acrarum di. In venditione super  
 compotum fenum iij acrarum prati pro [ix s. j d. in margin].

Summa feni xxxij acrarum j rode. Et remanet fenum vij  
 acrarum j rode prati.

Et de ij<sup>ml</sup> iij<sup>o</sup> lxxiiij operibus yemalibus provenientibus de  
 xxvij custumaris inter festum Michaelis et Gulam Augusti  
 videlicet per xliij septimanas et iij dies quorum vj custumaris  
 quilibet faciens per septimanam iij opera per dies Lune Mercurii  
 et Veneris xvij custumaris quilibet faciens per septimanam ij  
 opera scilicet per dies Lune et Veneris et v custumaris quilibet  
 faciens per septimanam j opus videlicet per diem Lune.

Summa ij<sup>ml</sup> iij<sup>o</sup> lxxiiij opera.

Opera yemalia premium operis ob. } Inde in defectu operum  
 } vj majorum custumariorum videlicet tenementi vocati Hacchisland tenementi quondam  
 Johannis Reymound de Wodestrete tenementi quondam Johannis  
 Breustere tenementi vocati Buntyngegs tenementi quondam Nicholai  
 Horsman et tenementi quondam Thome Ode quia in manu  
 Domini et ad firmam quorum quilibet facit per septimanam  
 iij opera Dcc iij<sup>xx</sup> opera pro qualibet tenemento per tempus

predictum cxxx opera. In defectu operum xij tenentium ij<sup>o</sup> tenure videlicet tenementi quondam Alicie Milward modo dimissi Roberto Tryndeleygh tenementi Andreux modo [dimissi] Mauricio Longe tenementi Verdons modo dimissi Mauricio Wodeward tenementi Roberti le Reue modo dimissi Johanni Longe tenementi Ratelers [modo] dimissi Johanni Parlebien et Wilhelmo Thomas tenementi quondam Ricardi filii Alicie Gayler modo dimissi Johanni Ode tenementi Ruddex modo dimissi Petro Phippe tenementi Longes modo dimissi Ricardo Andrew tenementi Oldeandreux modo dimissi Johanni Ballard tenementis Claces modo dimissi Mauricio Sothman tenementi quondam Henrici Joye modo dimissi Thome Martyn et tenementi vocati Whelers modo dimissi Johanni Helder [quia] in manu Domini et ad firmam infra m<sup>l</sup> xliji opera pro quolibet tenemento per tempus predictum iij<sup>o</sup> vij opera. In defectu operum unius tofti [mi]noris tenure quondam Nicholai Crowe quia in manu Domini et ad firmam xliji opera per septimanam j opus. In defectu operum unius acre terre vocate Ethonsacre causa predicta xliji opera per septimanam j opus. In defectu operum unius tenementi ejusdem tenure vocati Beckes quod Wilhelmus Kene nuper tenuit per opus modo dimissi Ricardo Reymound et ad firmam xliji opera per septimanam j opus. In defectu operum alterius tenementi ejusdem tenure vocati Coupers tenement quod Johannes Milnere nuper tenuit per opera modo dimissi per senescallum Wilhelmo Algood pro ij s. per annum pro omnibus serviciis ut patet per Rotulum Curie de anno Regis Ricardi ii<sup>o</sup> xliji opera per septimanam j opus. In defectu operum unius acre terre ejusdem tenure vocate Howliscroft quod Thomas Ode nuper tenuit per opera modo dimisso per senescallum Domino Johanni Caules rectori pro xvij d. per annum pro omnibus serviciis ut patet per Rotulum Curie de anno Regis Henrici Quarti primo xliji opera per septimanam j opus. In defectu operum unius tenementi ij<sup>o</sup> tenure vocati Rauenes quondam Alicie Lavender modo dimissi per senescallum Thome Vyne per iij s. per annum [pro] omnibus serviciis ut patet per Rotulum Curie de anno Regis Ricardi xv<sup>o</sup> iij<sup>o</sup> vij opera per septimanam ij opera. In allocatione medietatis operum unius tenementi...tenure quondam Mauricii Howe quod Thomas Parker tenet per opus ex consuetudine stipendii sui hoc anno xxxx opera per septimanam ij opera. In allocatione operum iij minorum custumariorum remanentium ad operandum per iij septimanas festivas videlicet Natalis Pasche et Pentecostes in quibus non operantur xxij opera pro quolibet custumario per septimanam ij opera. In allocatione operum dictorum iij custumariorum pro

Lane

ix diebus festivis accidentibus super dies suos...videlicet Luce.  
 Lune Lune Veneris Veneris Lune  
 Omnium Sanctorum Nicholai Annunciationis Parasceues Marci;  
 Veneris Veneris Lune  
 Baptiste Magdalene Jacobi xxxvj opera cujuslibet custumarii  
 pro...die festivo j opus. In allocatione operum dictorum iij  
 custumariorum falcantium in pratis Domini preter consuetudinem

molemennorum iij opera cuiuslibet eori  
operum pro eorum averagio ni hoc annu  
xvij qr. ij bu. pisorum xx qr. iij bu. orde  
opera custumariorum ut supra c opera  
In xxxvij qr. v bu. avene trituratis et vi  
xliij opera pro singulis vij bu. j opus.  
Summa

Arrure premium operis iij d. } Et  
} pri  
riis et molemennis cum viij carucis  
seasonias frumenti et xl<sup>o</sup>. Et de vij op  
bus de eisdem custumariis et molemen  
junctis ad seasoniam warectationis. Et  
habens carucam per se vel junctim arab  
seasoniam pro operibus suis premium ope  
Summa xxij opera. Et expenduntur  
et warectanda. Et nil remanet.

Opera sarculationis } Et de xxvij o  
} venientibus pe  
custumariis et molemennis quorum quilibet  
et molemennis predictis quilibet facit iij  
ij opera et quilibet de xv custumariis  
facit j opus. Si

Inde in allocatione operum messoris  
In allocations operum xix tenementorum  
Domini et ad fir[mam] titulo operum  
quilibet tenemento iij opera. In defectu  
minoris tenure videlicet tenementi Becke  
mound tenet tenementi vocati Coupers te  
Algood tenet unius acre terre vocate Eth  
j acra terre adjacente quondam Nicho  
continentis j acram terre vocati Howlote  
opera pro quilibet tenemento j opus. De  
cum ij acris di. terre de Malagio vocato  
Domini per sursum reddicionem Hugon  
uxoris sue usque ad plenam etatem heredi  
quia Mauricius Wodeward facit predictum  
quod Mauricius Wodeward facit predictum  
De iij operibus pro uno tenemento de M.  
Domini per escatam causa felonie quam  
nil hic nec decetero quia tenementum pro  
et ad firmam cum operibus et custumis  
sarculandis hoc anno lxij opera.  
Summa q.

Et de viij<sup>o</sup> iij<sup>xx</sup> vj operibus autumpni  
xxvij custumariis inter Gulam Augusti  
anno et festum Michaelis accidentem die  
vij<sup>o</sup> septimanas et ij dies quorum vj

quilibet faciens per septimanam v opera scilicet per dies Lune Martis Mercurii Jovis et Veneris xvij de custumariis predictis quilibet faciens per septimanam iiiij opera videlicet per dies Lune Martis Mercurii et Veneris ij de custumariis predictis quilibet faciens per septimanam ij opera videlicet per dies Lune et Veneris et iiij de custumariis predictis quilibet faciens per septimanam j opus videlicet per diem Lune.

Summa viij<sup>c</sup> iiij<sup>xx</sup> vj opera.

Opera autumpnalia precium operis j d. } Inde in defectu  
} operum vj maiorum custumariorum videlicet tenementi Hacchislond tenementi  
Johannis Reymound de Wodestrete tenementi quondam Johannis  
Breustere tenementi Buntynggs tenementi quondam Nicholai  
Horsman et tenementi quondam Thome Ode *quia* in manu Domini  
et ad f[irmam] infra pro quilibet tenemento per septimanam v  
opera ij<sup>c</sup> lij opera. In defectu operum xijj tenementorum ij<sup>c</sup>.  
tenure videlicet tenementi quondam Milward tenementi Andreux  
tenementi Verdons tenementi Roberti le Reue tenementi Ratelers  
tenementi quondam Ricardi filii Alicie Gayller tenementi Ruddoxs  
tenementi Longes tenementi Oldandreux tenementi Claces tene-  
menti quondam Henrici Joye tenementi Ravenes et tenementi  
Whelers *quia* in manu domini et ad firmam pro quilibet tene-  
mento per septimanam iiij opera iiij<sup>c</sup> xlj opera. In defectu  
operum ij tenementorum minoris tenure videlicet tenementi vocati  
Coupers Tenement et tenementi vocati Beckes causa predicta pro  
quilibet tenemento per septimanam ij opera xxxij opera. In  
defectu operum unius acre terre vocate Ethonsacre causa predicta  
vij opera per septimanam j opus. Et pro uno tofto cum j acra  
terre adjacente quondam Nicholai Crowe viij opera per septima-  
nam j opus. Et pro uno crofto continente j acram terre vocato  
Howlotes Croft causa predicta viij opera per septimanam j opus.  
In allocatione operum [quatuor custumariorum] adhuc operan-  
cium pro vj diebus festivis accidentibus super dies suos operabiles  
Mercurii Lune Mercurii  
hoc anno videlicet Laurencii Assumptionis Bartholomei Exal-  
Mercurii tacionis et Matthei xxijj opera cuiuslibet pro quilibet die festivo j  
opus. In allocatione operum dictorum iiij custumariorum pro ij  
siccis precariis accidentibus super dies suos operabiles hoc anno  
vij opera cuiuslibet pro qualibet precaria j opus. In xxxij acris  
diversorum bladorum metendis colligendis adjuvandis et ligandis  
per opera hoc anno lxijj opera sic capiens acram per extentam ij  
opera. In venditione infra xl opera.

Summa que supra. Et eque.

Et de C iiij<sup>xx</sup> j precariis siccis provenientibus de lvij custu-  
mariis et molemennis ad ij siccas precarias in Autumpno quorum  
xxxij custumarii et molemenni quilibet faciens iiij precarias xvj  
custumarii et molemenni quilibet faciens ij precarias et v custu-  
marii et molemenni quilibet faciens j precariam.

Summa C iiij<sup>xx</sup> j precarie.

crofti continentis j acram terre  
 Hewlotes Croft quod Wilhelm  
 dimissi eidem Domino Johann  
 annorum hoc anno et solebat di  
 de Wilhelmo Ode pro firma uni  
 pertinenciis quondam Ricardi  
 nuper tenuit per opera sic dimis  
 omnibus serviciis ad terminum  
 Et de iij d. de Johanne Ode pr  
 jacentis apud Hungerhul nuper i  
 sic dimisso eidem Johanni ad t  
 x<sup>mo</sup> (sic). Et de viij d. de eode  
 terre dominice cum pertinenciis  
 rum eidem Johanni per annum  
 anno v<sup>to</sup>. Et de iij d. de Joha  
 terre dominice cum pertinenciis  
 eidem Johanni per annum ad ter  
 Et de iij d. de Wilhelmo Tog  
 dominice cum pertinenciis jacen  
 eidem Wilhelmo et heredibus sui  
 ut patet per Rotulum Curie de ai  
 Nicholao Reymound pro firma  
 cum pertinenciis quondam Nich  
 laus Reymound prius tenuit per  
 per annum pro omnibus servic  
 annorum hoc anno v<sup>to</sup>. Et de  
 firma unius acre et unius rode  
 Hungerhul sic dimissarum eide  
 minum xx<sup>ti</sup> annorum hoc anno  
 Stokwell pro firma unius tener  
 Molond existentium in manu D  
 racionis<sup>1</sup> et felonie quas Wilhel  
 eidem Ricardo ultra antiquum<sup>1</sup>  
 ad terminum xij<sup>cim</sup> annorum hoc  
 Johanne Ode pro firma unius ten  
 x acras warecti terre native cum  
 nuper tenuit per opera sic dimis  
 omnibus serviciis nativis per an  
 de anno Regni Regis Henrici  
 Johanne Helder pro firma unius  
 terre native cum pertinenciis  
 Johannes nuper tenuit per opera  
 per annum ad terminum ij<sup>orum</sup>  
 Curie hujus anni. Et de xij d.  
 ij acrarum terre dominice in B  
 Nicholao per annum ad termini  
 Rotulum Curie hujus anni. Et

<sup>1</sup> A man or woman who had been  
 permitted to make an oath that he or  
 she was innocent, and could escape by this means if  
 accused.

1. HALIMOTUM DE WYNSELOWE DIE LUNE PROXIMA ANTE  
FESTUM SANCTI LUCE EVANGELISTE ANNO XXIJ<sup>o</sup>. J. BYNHAM<sup>1</sup>.

Greneburg'.

Johannes le Longe reddidit sursum in manus domini dimidiam acram terre cum pertinentibus iuxta terram Walteri Taillour' apud le Redebrede. Et dominus concessit predictam terram cum pertinentibus Waltero Geffes tenendam sibi et suis in villenagio et ad voluntatem domini per seruicia inde debita et consueta. Et dat de fine ij s. Et fecit fidelitatem, &c.

Johannes le Longe reddidit sursum in manus domini dimidiam acram terre cum pertinentibus iscentem super le Mellehulle iuxta terram dominicam. Et dominus concessit predictam terram cum pertinentibus Isabelle Elyot tenendam sibi et suis in villenagio et ad voluntatem domini per seruicia inde debita et consueta. Et dat de fine ij s. Et fecit fidelitatem, &c.

Walterus Perkynes reddidit sursum in manus domini dimidiam acram terre cum pertinentibus iacentem in Blakewelleforlong quam Rosia Adam tenet ad terminum vite. Et dominus concessit predictam terram Johanni Hore tenendam sibi et suis in villenagio et ad voluntatem domini per seruicia inde debita et consueta. Et dat de fine ij s. Et fecit fidelitatem. Et est forma talis videlicet quod dictus Johannes Hore habebit vnam dimidiam acram super hidehulle ad terminum vite supradicte Rosie et post decessum dictae Rosie ad supradictum Walterum reuertatur &c.

Radulphus Henries habet licenciam ponendi Galfridum filium suum ad scolas clericales. Et dat de fine xii d.

Walterus Taillour' reddidit sursum in manus domini dimidiam acram terre cum pertinentibus iacentem super Astonehulle quam prius cepit de terris dominicis iuxta terram dicti Walteri. Et dominus concessit predictam terram cum pertinentibus Petro filio Eue Rolfes tenendam sibi et suis in villenagio et ad voluntatem domini per seruicia inde debita et consueta. Et dat de fine vj d. Et fecit fidelitatem &c.

Johannes Hughprest et alicia vxor eius examinata reddiderunt sursum in manus domini vnum cotagium cum curtilagio adiacente iuxta tenementum Johannis le warde et tres dimidias acras terre vnde vna dimidia iacet in le Clayforlong iuxta terram Johannis Peres et alia dimidia acra iacet super le Langelond iuxta terram Johannis Horewode et alia dimidia acra iacet super Eldelayes iuxta terram Willelmi Ponteys. Et dominus concessit dictum cotagium cum curtilagio et terra Johanni Hughprest et Alicie vxori eius ad terminum vite eorum. Et post decessum predictorum Johannis et Alicie predicta cotagia cum curtilagio et terra cum suis pertinentibus remaneant Elene filie predictorum Johannis et Alicie ad terminum vite sue. Et post decessum dicte Elene

*predicta tenementa remaneant heredibus predictorum Johannis et Alicie tenenda de domino in villenagio et ad voluntatem per virgam<sup>1</sup> per seruicia et consuetudines debita et consueta. Et dat de fine v s. Et fecit fidelitatem &c.*

Elena atte halle per licentiam domini dimisit Johanni Martyn duas acras terre ad terminum xl. annorum proxims sequentium post datum istius Curie, sicut iacent super Costouwe iuxta terram Johannis Pieres. Et dat domino pro termino habendo<sup>2</sup> iij s. iiiij d.

2. HALIMOTUM DE WYNSELOWE DIE LUNE PROXIMA POST FESTUM SANCTI DIONISII ANNO XXIIJ<sup>o</sup>. AD WITTENHAM.

Greneburgh<sup>3</sup>.

Willelmus Houprest mortuus est qui tenuit de domino vnum Mesuagium et dimidiā virgate terre cuius heriettum vnum bos precii iij s. Et Johannes filius eius est proximus heres etatis iiiij annorum. Et ratione minoris etatis commissa est custodia terre et heredis Johanni attewelle tenenda usque ad legitimam etatem heredis per virgam faciendo seruicia et consuetudines. Finis condonatur propter paupertatem. Et fecit fidelitatem.

Johannes Clerk mortuus est qui tenuit de domino vnum Mesuagium et vnam virgatam terre cuius heriettum vnum bos precii iij s. iiiij d. Et super hoc venit Anabilia que fuit vxor dicti Johannis et clamat habere coniunctum statum in dicto Mesuagio et terra. Et super hoc vocat recordum Rotulorum. Et habet diem usque ad proximum.

Johannes Longe mortuus est qui tenuit de domino vnum Mesuagium et v acras terre cuius heriettum j Iuuencus precii viij d. Et Willelmus filius eius est proximus heres qui venit et gersummauit<sup>4</sup> dictum Mesuagium et terram tenendum sibi et suis in villenagio per virgam ad voluntatem domini per seruicia et consuetudines. Et dat de fine xij d. Et fecit fidelitatem.

Willelmus Horewod mortuus est qui tenuit de domino vnam acram et dimidiā terre cuius heriettum vna ouis precii iij d. Et remanent in manus domini pro defectu heredis.

Emma Clerkes mortua est que tenuit de domino vnam acram terre cuius heriettum vnum bouiculus precii xvij d. Et remanet in manus domini.

Willelmus Carpenter mortuus est qui tenuit de domino vnum cotagium et duas acras terre cuius heriettum vna ouis precii iij d. Et remanent in manus domini.

Willelmus Wengraue mortuus est qui tenuit de domino vnum cotagium et duas acras terre cuius heriettum vna ouis precii iij d. Et Ricardus filius Ricardi Wengraue est proximus heres.

<sup>1</sup> The formal entry on a villan's holding.

<sup>2</sup> For having a lease for a term of years.

<sup>3</sup> f. 53 b.  
<sup>4</sup> Gersuma, a fine paid on completing an agreement. See above, p. 478.

*Johannes Hobbes mortuus est qui tenuit de domino vnum cotagium et iij<sup>or</sup> acras terre cuius herietum vna ouis precii iij d. Et dominus concessit dictum cotagium et terram Isabelle Hobbes tenenda ad terminum vite faciendo seruicia et consuetudines sine vasto saluo iure cuiuslibet. Et dat de fine xii d. Et fecit fidelitatem.*

*Matilda Hobbes mortua est que tenuit de domino vnum cotagium et tres rodas terre cuius herietum vna ouis precii ij d. Et Johannes filius Johannis Hobbes est proximus heres etatis vij annorum. Et ratione minoris etatis dominus concessit custodiam cotagii terre et heredis Isabelle Hobbes tenendam usque ad legitimam etatem heredis in villenagio faciendo seruicia et consuetudines. Et dat pro custodia habenda vj d. Et fecit fidelitatem.*

*Alicia Hobbes mortua est que tenuit de domino dimidiam acram terre cuius herietum vna ouis precii ij d. Et Johannes filius Johannis Hobbes etatis vij annorum est proximus heres. Et ratione minoris etatis dominus concessit custodiam terre et heredis Isabelle Hobbes tenendam usque ad legitimam etatem heredis faciendo seruicia et consuetudines. Et dat pro custodia habenda vj d. Et fecit fidelitatem.*

*Johannes Hore mortuus est qui tenuit de domino dimidiam acram terre cuius herietum vnum vitulus precii iij d. Et Johanna soror dicti Johannis est proximus heres que venit et gersummauit dictam terram tenendam sibi et suis in villenagio ad voluntatem per seruicia et consuetudines. Et dat de fine vj d. Et fecit fidelitatem.*

*Radulfus Geffes reddidit sursum in manus domini vnum cotagium et dominus concessit dictum cotagium Johanni Reynald clero de Greneburgh tenendum sibi et suis in villenagio et ad voluntatem domini per virgam faciendo seruicia et consuetudines. Et dat de fine xii d. Et fecit fidelitatem.*

*Radulfus filius Walteri Norton reddidit sursum in manus domini vnum cotagium continentem in longitudine xvij pedes et in latitudine xij pedes cum curtilagio adiacente. Et dominus concessit dictum cotagium cum curtilagio Willelmo Wyth tenendum sibi et suis in villenagio faciendo seruicia et consuetudines. Et dat de fine xii d. Et fecit fidelitatem.*

*Johannes filius Radulphi Rolfe mortuus est qui tenuit de domino vnum Mesuagium et vnam virgatam terre cuius herietum vnum bos precii iij s. Et Juliana Rolfe amita dicti Johannis est proximus heres que venit et gersummauit dictum Mesuagium et terram tenendum sibi et suis in villenagio ad voluntatem domini per seruicia et consuetudines. Et dat de fine x s.*

*Juliana Rolfe reddidit sursum in manus domini vnum Mesuagium et vnam virgatam terre cuius herietum vna cista precii iij d. Et dominus concessit Radulpho Geffes dictum Mesuagium tenendum sibi et suis in villenagio et ad voluntatem domini per*

virgam per seruicia et consuetudines. Et dat de fine xx s. Et fecit fidelitatem.

Tastatores ceruisie presentant quod braciatrices fregerunt assisam, ideo in misericordia vij d.

Radulphus de Norton dat domino vj d ad inquirendum de iure suo de vna acra terre.

Johannes Reynald dat domino vj d ut inquiratur de iure suo de vno cotagio et dimidia acra terre.

Radulphus filius Rosie Adam dat domino pro licencia se maritandi xij d.

Willelmus Scot debet sectam et facit defaltam, ideo in misericordia iij d.

3. HALIMOTUM TENTUM IBIDEM DIE LUNE PROXIMA POST FESTUM ASCENSIONIS DOMINI ANNO REGNI REGIS HENRICI SEXTI QUINTO.

Greneburgh<sup>1</sup>.

Jurati presentant quod Johannes Ostage debet sectam et facit defaltam, ideo ipse in misericordia.

Item dicunt quod Ricardus Harry et Walterus Harry apud Swanburn Thomas Deye et Willelmus filius suus ibidem sunt natiui et fugitiui ideo &c.

Preceptum est Roberto Jauyn firmario manerii de Byggyng quod distringat Galfridum Kyng filium Radulfi Kyng per omnia bona et catalla sua vbiunque infra domum fuerint inuenta ad soluendum et satisfaciendum alic' wyght de Greneburgh quendam annum redditum eidem alicie debitum, videlicet iij s per annum pro quadam clausura vocata Colettisclose. quociens et quando dictus galfridus in soluzione dicti redditus deficerit, quod preceptum est, dictus Robertus dictum Galfridum distringat de die in diem et districta capta retinere quounque dictus redditus cum arreragiis, sique fuerunt, eidem et alicie plenam fuerit satisfactionem &c.

Dominus concessit Radulpho eyre sex dimidiis acras terre cum j laye, iacent super Swynehulle extendentes vsque molendinum de Greneburgh. Tenenda sibi et suis a dato istius Curie vsque ad finem lx annorum proxime sequentium completorum in villenagio ad voluntatem domini per Reddendo inde annuatim vj pro omnibus seruiciis et sectis Curie. Et dat de fine j caponem.

Walterus Herry sursum reddidit in manus domini vnum mesuagium et quinque acras et dimidię terre quendam Johannis Elyot et Alicie vxoris eius vnde dictum cotagium situm est inter tenementum Radulphi wengraue et suoweslane, vna acra et dimidia iacet inter culturam vocatam Millehulle in duabus parcellis. J acra iacet super longcroft et dimidia acra iacet super Middul-furlong et altera dimidia acra est quadam forera<sup>2</sup> iacens super

<sup>1</sup> f. 10 b.

<sup>2</sup> Forera; a headland or transverse portion at the end of a field; see Seebohm, *Village Community*, 4.

Wydepoleshulle. vna acra iacet apud Blakewelle hegge in ij parcellis et dimidia acra iacet apud almondesmede et alia dimidia acra subtus molendinum domini cuius heriectum in pecunia iij s. iiiij d: et dominus concessit dictum cotagium et terram cum pertinentibus Roberto Cawode Tenendum sibi et suis in villenagio ad voluntatem domini per seruicia &c. Et dat domino de fine vj s. viij d &c.

Testamentum Johannis wattes probatum est coram fratre Roberto Onnesby Cellario et commissario in hac parte, cuius tenor sequitur in hec verba. In dei nomine Amen. Ego Johanna [sic] wattes compos mentis anno domini millesimo ccccxxvij<sup>o</sup> condo testamentum meum in hunc modum. In primis lego animam meam deo et corpus meum ad sepiliendum in cimiterio sancti Johannis Baptiste de Greneburgh. Item monachis sancti albani xij d. Item vicario de Greneburgh xij d. Item Clerico eiusdem ecclesie iiiij d. Item iiiij luminebus eiusdem ecclesie dimidium quarterium brasii. Item ecclesie de wynge xij d. Item agn' lary vnam ollam eneam, potellum et cistam et j coopertorium et j parcellam linthee. Item Margerie lary j ollam eneam, potellum et cistam. Item fratribus de Aylesbury xij d. Item Willielmo Childe filio meo spirituali j bussellum brasii. Et de residuo bonorum meorum non legato constituo Johannem Geffes meum executorem ut ipse disponat bona mea cum adiutorio Johannis Boueton meliore modo quo sciverint deo placere pro anima mea et inde prestet sacramentum in forma iuris.

### C. MUNICIPAL LIFE.

I HAVE here grouped several documents which illustrate the rights of burgesses, the trade policy they pursued, and the privileges they desired to possess.

I. CHARTER OF COVENTRY. This Charter was granted by the Earl of Chester to Coventry, and the privileges were subsequently confirmed by Henry I. It has been printed from a transcript in Trinity College Library, *Oo*, 2, 20, which I have corrected, with the kind assistance of the Town Clerk of Coventry, from the original; this is in the possession of the corporation of Coventry and is in beautiful preservation.

It is chiefly instructive because it shows us a city with a good deal of self-government, while there is no mention of a gild, or grant of the right to have a gild; we hear of this right in 1268, as a matter which was then in dispute (*Gross, Gild Merchant*, ii. 48). There was a portmanmote, and foreign merchants might be introduced as comburgenses, but these things might exist without any gild merchant. Though this gild came to be a very important body in the later history of the city, it does not appear to have been an important element in its earliest municipal life.

¶ Ranulphus Comes Cstabularii, et Ballivis, et milfrancis et anglis tam presenti

Sciatis me Burgensibus me et hac carta mea confirmasse sunt, videlicet ut bene et honeste teneant predicti burgenses et meis, sicut unquam in tempore meorum melius et firmius et liberas et bonas leges illis meliores et libiores habent. meis ne eos aliqua *causa* in portmotonum suum libere habeat ad illos pertinentia iuste tract ipsis pro me elegant qui sub non consuetudines sciat, et eos me omni *causa* remota custodiat et forte aliquis in misericordiam <sup>1</sup> biliter per ballivum meum et f autem mercatores secum ad vicecipio ut pacem habeant, et non eos in curiam mittat. Si vero inconveniens in villa fecerit dicta sine *causa* illud dirigat.

II. CUSTOMS OF LONDON.  
vol. (Add. 14,252) as the Assizes. They date from the twelfth century so far as a great part of the extract refers to the position of a to a levy of a fifth on moveable given to Oxford and many other greater interest and importance in smaller places.

QUEDAM CIVITATIS CONS

6. Si quis forensis homo poterit comprobare eum per forsi homo civitatis forensem impli necque in ea terram habeat, cum nisi alter sit de comitatu in quo

11. Mercator foraneus ut sed ad decisionem merces sua attulerit, vel cordewan non minus Pannos de serico vel lana vel lino minus quam unum quarterum numerum madidum emere vel tunc aliqua quod ad cives pertineat

urbe emere quod ibi iterum revendat. nec plusquam xl dies in adventu suo morari nisi eum impedit morbus aut debitum quod civis ei debeat, unde monstrare et probare possit quod vicecomes et iusticie ei de recto tenendo defecerunt.

12. Mercatores qui londonie redeunt et afferunt pannos de lino et de lano non debent vendere nisi tantum iij diebus in ebdomada, scilicet lune, martis, mercurii, et tunc debent religare trussellos usque in aliam ebdomadam, et facere similiter, si aliquid restat ad vendendum nichilque vendant ad detail.

13. Hospes domus non potest accipere aliquid de cordagio nec de pellibus agninin, nec de aliquibus aliis. Sed si ad mercatum fuerit, vel aliquis pro eo, bene percipiat in marcato ut alius.

14. Mercator foranus nequit transgredi spatium trium miliarum extra civitatem eundi ad feriam vel ad mercatum extra urbem, nec iusticie necque vicecomes eis potest dare licenciam. Et si vicecomes eum ceperit extra civitatem ultra metas illas cum pecunia illa, reducat illos, et cives cum vicecomite pecuniam inter se dividant si vero cives eum ceperint civium sit omnis illa pecunia.

15. Foranus non faciat forchep<sup>1</sup> civi necque cum eo emat vel vendat in civitate nisi civis voluerit.

QUEDAM ASSISA FACTA AD HABENDAM PECUNIAM DOMINI REGIS  
QUANDO DABANTUR EI M. M. M. MARCIS [sic] PRO VICECOMITATU.

Constitutum est quod unusquisque aldermannus et omnes homines de Wardis suis debent iurare quod de singulis xx<sup>4</sup> sol. redditum quos habent ipsi in civitate etc.

Quod in feudo sit, de singulis libris dabunt iiii sol., et de x sol. ij sol., et de v sol. xii d., et de xxx d. vj d., et de xij d. quantum ad hoc pertinebat. Et de redditu hospitum, arundine vel iunco, vel alio quod ubi sit in feudo dabunt de singulis libris ii sol. et sic usque ad xii d. quantum continget. Preterea de suis omnibus catallis et aliis que in manum habent sic in domo iacentibus vel alio mobili catallo ubicunque sit, vel citra mare vel ultra et ubicunque sit, dabunt de libra ij sol., et ita usque ad xii d. quantum pertinebit. Et debent iurare quod pro hac assisa nullum catallo necque in domo neque in aliquibus aliis removerunt, nec remobunt [sic] donec ad hanc assissam plenarie prebuerint quantum eis pertinebit. Et de omnibus debitibus suis que intelligunt habenda, de quanto intelligunt habere, dabunt quantum de aliis suis catallis, et de redditibus foranis quos tenentur [sic] in civitatem et in portoscum qui sint in feudo dabunt iiii sol. de li. sicut prescriptum est, et de aliis qui non sint in feudo secundum quod dictum est superius. Et illud debet computari forensibus in receptione sua, et iurent quod nullum celabunt qui de civitate sit vel per civitatem se aduocet qui hoc sacramentum et adiutorium non faciant, sicut constitutum et provisum est, quin hoc dicant aldermannis et custo-

<sup>1</sup> Forestalling.

dibus ciste; feneratores et fermentum. Omnes sint inbre non veniunt; et si qui volunt in redditu vel catallo demons hoc emendabunt. Unusquis pueris suis et det pro illis queniant illi coram maiore et solvant. Et bene defendant Wardis suis, quod nullus execuc alibi donec se et suos de horum faciat aliud, faciat e ceteris qui omnia sua terras Et omnis femina que mercandi et manifeste hoc agat.

III. RECOVERY OF ARRE

fell into arrears of rent the setting a stake up in front of and after a certain lapse of tenement. The extract from t mote in 1290 occurs by itself (Dd. ix. 38) which formerly which contains several of t between the towns and moi and by Gross (*Gild Merchant*).

## DE

Consideratum est per totum quod omnia tenementa que regni reddituum ad minus quam sub hac forma semper hucusque dominus fuerit qui aliquem r habuerit illum redditum calum curie stachia debeat figi et redditu quam de tenemento, a recordo de portesmoto tenti iude anno regni regis Edwardi

The rule here laid down by lessors in recovering their property the provisions that were made for tenants in arrear by the Statute of Ed. I. c. 21 (1285).

IV. PRIVILEGES DESIRED

tract from the Staple Rolls (27- Records in the Record Office is of 1359, and shows that English foreign marts despite the disadvantage of the removal of the staple to France, the merchants of the staple who were but for mutual protection an

extract thus gives a warning against assuming that the fiscal arrangements were so rigid, or the laws so strictly enforced as we might have supposed. It is followed by a license addressed Universis et singulis mercatoribus regni nostri Anglie, granting leave to elect a governor (custos libertatum mercatorum in partibus Flandrie)—a privilege for which they had urgently petitioned. On the whole this group of merchants dealing in a staple commodity in Flanders, occupied a position closely resembling that of the Merchant Adventurers fifty years later. The charter of privileges granted by Louis le Male (26 Feb. 1359) and referred to in the body of this document has been printed by Varenbergh (*Hist. des Relations* 447).

Le roi a touz ceux as queux cestes lettres vendront saluz. Coment qe entre autres choses en les ordinances de noz estaples establis nadgaires en notre roialme Dengleterre soit contenuz qe nul des marchauntz de notre dit roialme sur forfaiture ne passast par de la oue leines quirs ou peaux lanutz. Nientmeins, puis oue bone deliberation oue grantz et autres de notre conseil *pur* commun profit de nous et de notre dit roialme si grantames et donasmes congies a noz auantditz marchantz quils puissent passer *par* de la oue lour dites leines quirs et peaux *pur* un temps, paiant a nous les custumes et subsides ent dues. Et *par* cause qe la moinoie es parties de Flandres feust grandement empire et les pris des leines molt amenusee *par* tant qe noz ditz marchauntz nauoient mies leur franchises illoeges tiels come ils ont en deuant ces heures, si envoiames nadgaires noz messages oue noz lettres especiales a les trois bones villes de Flandres, en requerant eux qils vousissent soeffrir noz ditz marchantz auoir leur franchises auantdites, sur quoi le comte de Flaundres *par* commun assent de sa terre et especialment a la requeste de ses bones gentz de la ville de Brugges ad graunte a noz ditz marchantz qils puissent auoir et user souz la gouernance dun gouernour toutes les fraunchises et libertees qils soleient auoir asoun temps passe, nient contre esteant qe les estaples sont tout outrement departiz hors de le dit paiss de Flaundres, et mis en notre dit Roialme Dengleterre, come en une chartre ensealle du seal du dit Comte et du seal de la dite ville de Brugges a nous envoie *par* noz ditz messages plus pleinement est contenu, et *sur* ceo eons done congies et poer a noz ditz marchantz *par* noz lettres patentees a durer a notre volunte delire entre eux vn gouernour conuenable a toutz les foitz qe lour plerra et mester soit *pur* tenir entre eux en la ville de Brugges lour congregations et assemblies a fin qils peussent auoir et enioier lour franchises et priuileges, issint a eux de nouel grauntees par le Comte de Flandres, si qe parmi lour assemblies et congregations ne *par* autre cause noz ditz estaples establis en notre dit roialme Dengleterre ne soient enblemiz, empirez nendamages *par* nulle voie. Et qe nulle ordinance ne comune soit faite *par* les auantditz gouernour et compaignie en la dite ville de Brugges ne aillours *pur* destourber noz marchantz ne lour

vallettes ou servantz, qils ne peussent franchement et peisiblement vendre et acheter lour marchandises a quelles hours qe lour plerra et a euncunes persons ou ils verront meutz lour profit sanz desturbances ou emplochemete de nulle. Nous a fin qe nous soions le meutz serui de noz custumes des leynes quirs et peaux lanuz, qe serront amenez hors de notre dit roialme, volons qe des leines quirs et peux lanutz quant ils serront charges et les custumes ent dues paiez, soient les lettres de coket endentez prentre les custumers et mestres des ditz niefs, et qe lune partie soit seale de notre seal de coket, et lautre partie du seal des mestres des niefs, issint qe les dites custumers la partie de lendenture seale du seal des ditz mestres demurante denvers eux eient a notre Eschequer sur lour acompt et les ditz mestres des niefs lautre partie de la dite endenture seale de notre seal de coket demurante denvers eux quant ils vendront as dites parties des Flandres, liuerent et baillent au dit gouernour pur faire le serche illoeques, a fin qe si nulles leynes quirs ou peaux lanutz soient trouez nient cokettez ou nient custumez, soient forfaitz a nous ensemblement oue les niefs en quelles ils serront trouez, le quele gouernour enuoiera les parties de les dites endentures quelles ils auera issint receu des ditz mestres, ensemblement oue les nouns de ceux qe aueront passe les leines quirs et peaux a leschequer Dengleterre a fin del an des queux forfaitures des leynes quirs et peaux volons qe lune moite demuerge devers nous et qe le dit gouernour eit lautre moitie pur son serche et traualle la forfaitures des niefs entierment a nous sauuez. Du tesmoignance de quelle chose nous auons fait faire cestes noz lettres ouertes. Doun souz notre grand seal a Westminster le premer iour de Juyl lan de notre regne Dengleterre trentieme tierz et des France vintisme. Per ipsum Regem et consilium.

#### D. THE WOOL TRADE IN THE THIRTEENTH AND FOURTEENTH CENTURIES.

THIS list contains the names of various monastic houses which supplied wool to the Florentine and Flemish markets. The longer list is Italian and is dated 1315; it has been printed by Peruzzi in his *Storia del Commercio e dei Banchieri di Firenze*, 71; the misprints in the English names are so many (e.g. Stuntingdonshire for Huntingdon, Kievoul for Rivaulx) that it is not possible to trust altogether to his text. The Flemish list has been printed by Varenbergh in his *Histoire des Relations diplomatiques entre le Comté de Flandre et l'Angleterre*, 214, and more recently by Höhlbaum in the *Hansisches Urkundenbuch* III. 408; in identifying the modern names, he was assisted by Dr Liebermann of Berlin: it is probably some-

that certain towns the *Franchise* is not given —. The origin of the franchise was in the *Curia Regis* —. In the 66 and 70 charters it is so.

A comparison of the two lists has enabled me to detect the distribution of the franchise. There are several cases where I can only offer a very guess and where there is doubt even as to where. The *Franchise* is a privilege of burgh status, with a *curia regis* franchise established within the burgh, and the *Franchise* is a very simple privilege. In the two grants the *curia regis* according to practice was omitted in the *Franchise* list — in those cases where I have a grant from *Franchise* and *Curia Regis* I have added a note to my grantee for *curia regis*. Generally speaking I have given a preference to *curia regis* as a name that was more likely to be used. I can see, however, that we are bound to prefer a *curia regis* of the wool trade to a burgh in respect to which we do not know anything of the kind. Thus Grantham is the *Curia Regis* and may be taken as Grantham, a Cistercian Abbey in Leicestershire which is given in the *Franchise* list, rather than the *Franchise* burgh at Grantham, the inmates of which did not as far as we know take up this trade. Again I have in doubt cases preferred a neighbouring house to a distant one, e.g. Bickland in the Flemish list appears to me to be Begeland or Byland in Yorkshire, not Bickland in Devonshire, for it stands in the middle of a group of Yorkshire names.

The prices of wool at the different houses occur in the Flemish list; those which are put against the names of the counties are taken from the parliamentary ordinance of 1343 settling the minimum at which the wool of each county should be sold. *Hymor, Mandeville, II. 1225.* The precise object of this assize differs somewhat from that which was made at Nottingham in 1337; the price then settled was accepted as the basis for conducting Edward's fiscal operation in 1340, when 20,000 sacks of wool were granted him (*Rot. Parl. II. 119, No. 10*), but the merchants complained that it was not possible to keep to this fixed rate in business transactions (*Rot. Parl. II. 143 b*); and the assize of 1343 may therefore be regarded as setting a minimum price, which was to prevent the export of this valuable commodity at very low rates. The lowest quotation is for Cornwall, where the rate was only four marca. Some idea of the general distribution of the wool-growing, and of the proportional wealth of the counties respectively, may be obtained from the list in the *Rolls of Parliament*, II. 131 (48), which shows the proportion each county was to contribute towards the 30,000 sacks which were granted to the king. Hereford was rated at 140 sacks, 12 stones, 13½ pounds. Lincoln at 1285 sacks, 5 stones, 12 pounds. Norfolk at 2206½ sacks, 1 stone, 6½ pounds. Yorkshire is given as follows.—West Riding 333 sacks, 11 stones, 13½ pounds; East Riding 499½ sacks, 8 stone, 9½ pounds; North Riding 270 sacks, 4 stones, 6 pounds.

what earlier than the Florentine list; say about 1280. Two copies of the original are in the Douai Archives (Registre L. fol. 44 and Registre M. fol. 40).

A comparison of the two lists has enabled me to carry the identification a little further, though there are several cases where I can only offer a wild guess and others where I cannot even do so much. The Florentine list is grouped in monastic orders, with a rough geographical arrangement within each group, and the Flemish list is very roughly geographical. The list here printed has been arranged according to counties and is based on the Florentine one: in those cases where I have differed from Peruzzi and Höhlbaum I have added a note to explain my grounds for doing so. Generally speaking I have given a preference in doubtful cases to a house that was clearly mentioned in the other list, on the ground that we are bound to prefer a known centre of the wool trade to a house in regard to which we do not know anything of the kind. Thus Grandone in the Flemish list may be taken as Gerondon, a Cistercian Abbey in Leicestershire which is given in the Florence list, rather than the Franciscan house at Grantham, the inmates of which did not so far as we know take up this trade. Again I have in doubtful cases preferred a neighbouring house to a distant one, e.g. Bekeland in the Flemish list appears to me to be Begeland or Byland in Yorkshire, not Bockland in Devonshire, for it stands in the middle of a group of Yorkshire names.

The prices of wool at the different houses occur in the Flemish list: those which are put against the names of the counties are taken from the parliamentary ordinance of 1343 settling the minimum at which the wool of each county should be sold. Rymer, *Fædera*, II. 1225. The precise object of this assize differs somewhat from that which was made at Nottingham in 1337; the price then settled was accepted as the basis for conducting Edward's fiscal operation in 1340, when 20,000 sacks of wool were granted him (*Rot. Parl.* II. 119, No. 10), but the merchants complained that it was not possible to keep to this fixed rate in business transactions (*Rot. Parl.* II. 143 b); and the assize of 1343 may therefore be regarded as setting a minimum price, which was to prevent the export of this valuable commodity at very low rates. The lowest quotation is for Cornwall, where the rate was only four marcas. Some idea of the general distribution of the wool-growing, and of the proportional wealth of the counties respectively, may be obtained from the list in the *Rolls of Parliament*, II. 131 (48), which shows the proportion each county was to contribute towards the 30,000 sacks which were granted to the king. Hereford was rated at 140 sacks, 12 stones, 13 $\frac{1}{2}$  pounds. Lincoln at 1285 sacks, 5 stones, 12 pounds. Norfolk at 2206 $\frac{1}{2}$  sacks, 1 stone, 6 $\frac{1}{2}$  pounds. Yorkshire is given as follows,—West Riding 333 sacks, 11 stones, 13 $\frac{1}{2}$  pounds; East Riding 499 $\frac{1}{2}$  sacks, 8 stone, 9 $\frac{1}{2}$  pounds; North Riding 275 sacks, 4 stones, 6 pounds.

Fortunately there is a statement of the value of a mark at Bordeley in 1278 (*Rot. Par.*) that nine marks was a fair price for a middle price between the rate of the pound in the Flemish currency and this, the pound in the English currency.

In the rates given for the wool *de marisco* was separated from the other wool, and seems to give the best explanation of the name *Torcea*. *Torca* is, according to Mr. Coote, the name of the village and the pasturage round Crowle. The land of the Trent was not improbably protected from inundation by a dam, and the name *Torcea* is derived from the word *tor*, a gualdo, as Mr. Coote of the *English Wool Book* rendered *Cotswold*.

In regard to the houses in the lists offered by Peruzzi or Höhlbau, it appears that they occur in both lists.

The initials appended distinguish the predominance of the Cistercian order, the large proportion of the Gilbertine, the Augustinian Canons, B. Benedictine, C. Cistercians, C. N. Cistercians, N. Norbertine, P. Premonstratensian.

#### ENGLAND

##### BEDFORD. pro 11 marcis.

29*	Chicksand	G.
61*	Wardon	£34 C.
69*	Woburn	£35 C.
122	Dunstable	A. C.

##### BERKSHIRE. pro 9 marcis.

128	Abingdon	B.
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##### BUCKINGHAMSHIRE. pro 11 marcis.

16	Ankerwyke	B. N.
62*	Bittlesden	C.
131	Noctele	A. C.
202	Missenden	A. C.

#### CAERMARTHEN.

48*	Alba Landa	C.
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## DEVON. £3.

56* Ford	C.
58 Newenham	C.
70 Buckfastre	C.
158 Torr	P.
DORSET. pro 8 marcis.	
52* Bindon	C.

Essex. de melioribus lanis pro	
10 marcis, de marisco £5.	
74* Coggeshall	£36 C.
75* Tiltey	£36 C.
76* Stratford	£34 C.
165 Bileigh nr Maldon	P.
209 Waltham	£28 A. C.

FLINT.	
65 Basingwerk	£32 C.

## GLAMORGAN.

42* Margan	£50 C.
43* Neath	£45 C.

Gloucester. de melioribus	
pro 12 marcis, aliis pro 11	
marcis.	

66 Flexley	C.
123 Winchelcombe	B.

HAMPSHIRE. pro 9 marcis, de	
insula Vectæ et Nova Foresta	

£5.	
51* Beaulieu	£42 C.
53 Netley	C.
54* Quarre	£31 C.
157 Tychfield	P.

HEREFORDSHIRE. de melioribus	
pro 12 marcis, aliis pro 10.	

46* Dore	£38 C.
201 Wormeleye	A. C.

HERTFORDSHIRE. pro 10 marcis.	
198 S. Albans	B.

HUNTINGDONSHIRE. pro 9	
marcis.	

72* Saltrey	£36 C.
121 Ramsey	B.

## 210 S. Neots £45 B.

KENT. pro melioribus lanis pro	
9 marcis, de marisco £5.	
73* Boxley	C.
104 Canterbury	B.
162 Bradsole (S. Rhade-	

gund)	P.
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## LANCASHIRE pro 8 marcis.

177* Furness	£34 C.
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## LEICESTERSHIRE. pro 12 marcis.

8 Langley	B. N.
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108 Leicester (S.	
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Mary's)	A. C.
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109 Kirkby	A. C.
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111 Launde	A. C.
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153* Croxton	P.
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187* Gerondon	£36 C.
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## LINCOLNSHIRE. pro 14 marcis:

Holland, de marisco pro 11	
marcis.	

1* Stanfield	B. N.
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2* Stykeswold	C. N.
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3* Cotham (Nun	
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Cotun)	C. N.
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5 Grimsby	B. N.
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6 Heyninges	C. N.
-------------	-------

7 Gokwelle	C. N.
------------	-------

20 Lekeburn	C. N.
-------------	-------

21* Bullington	G.
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22* Sixhill	G.
-------------	----

23* Ormesby	G.
-------------	----

32* Alvingham	G.
---------------	----

33 Newstede	G.
-------------	----

95 Wellow near	
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Grimsby	A. C.
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96 Thornholm	A. C.
--------------	-------

97* Bardney	B.
-------------	----

98 Markeby	A. C.
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99* Nocton	A. C.
------------	-------

113 Belvoir	B.
-------------	----

115 Spalding	B.
--------------	----

117 Deping	B.
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118 Bourn	A. C.
-----------	-------

119 Crowland	B.
--------------	----

150* Tupholm	P.
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151* Barlings	P.
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152	Neus (Newesham)	P.	NOTTINGHAMSHIRE.	10½ marcis.
154*	Newboth	P.	186* Rufford	£33 C.
167	Hagneyby	P.	195 Welbeck	£31 P.
168	Sempringham	G.	24 Mattersey	G.
169*	Lincoln, S. Catharine's £36	G.	94 Wirksoe	A. C.
170	Haverholme	G.	103 Shelford	A. C.
171	Catteley	G.	107 Lenton	Cl. (or B.)
183*	Revesby	C.	112* Newstead by	
184	Swineshead	C.	Sherwood	A. C.
185*	Vaudey	C.		
190	Louth Park	C.	OXFORD. pro melioribus lanis	
193	Kirksted	C.	13 marcis, de Chilterne pro	
194	Holy Innocents, Lincoln	L. P.	10 marcis.	
			31 Clattercote	G.
71	Kinner	C.	57* Brueria	£38 C.
199	Ystrat Marchel	C.	60* Tame	C.
			130 Oseney	A. C.
			133 Burcester	A. C.
			SHROPSHIRE. pro 14 marcis.	
			40* Bildwas	£35 C.
			SOMERSET. pro 11 marcis.	
134	Holy Trinity, London	A. C.	200 Witham (Charter- house)	£34 C.
208	Stratford	£33		
			STAFFORD. de melioribus lanis	
			pro 13 marcis, et aliis lanis	
			12.	
			37 Croxden	C.
38*	Grace Dieu	£33	39* Dieulacres	£33 C.
44	Llantarnam	C.	100 Roucester	A. C.
45*	Tintern	C.	105 Burton on Trent	B.
			SUFFOLK. £5.	
30	Shouldham	G.	77* Sibton	C.
204	Dereham	P.		
166	Langley	P.		
			SURREY. pro 6 marcis.	
			55* Waverley	£40 C.
			132 Merton	A. C.
			SUSSEX. pro melioribus lanis	
			pro 9 marcis, de marisco £5.	
120	Peterborough	B.	78 Roberts Bridge	C.
129	S. Andrew's, Northampton	A. C.	160 Dureford	P.
156	Sulby	P.	161 Beigham	P.
			WARWICKSHIRE. de melioribus	
			lanis pro 10½ marcis.	
147	Alnwick	P.	63* Combe	C.
173*	New Minster £33	C.		

64* Mereval	C.	85* Bridlington	£31	A. C.
68* Stonely	£35	86* Kirkham		A. C.
WESTMORELAND. pro 10 marcis.		87 Whitby		B.
159 Shapp	P.	88 Selby		B.
WILTSHIRE. pro 8½ marcis.		89 S. Mary's, York		B.
49* Kingswood	C.	90 Warter		A. C.
207 Stanlegh	£35	91 Nostell (S. Oswald)		A. C.
WORCESTERSHIRE. de meliori- bus pro 10½ marcs, aliis pro 8 marcis.		92 Bolton in Craven		A. C.
67 Bordesley	£36	102 Drax		A. C.
124 Evesham	B.	148* Richmond (S. Agatha)		P.
125 Pershore	B.	149 Corham (Cover- ham)		P.
YORKSHIRE. pro melioribus pro xi marcis, et lanis de Craven pro ix marcis.		155 Egleston		P.
4* Hanepole	C. N.	175* Sallay	£34	C.
9 Arden	B. N.	176* Joreval	£34	C.
10 Keldon	C. N.	178* Byland (Begeland)		C.
11 Rosedale	B. N.	179* Rivaux	£38	C.
12 Clementhorp, York	B. N.	180* Meaux	£36	C.
13 Swinhey	C. N.	181* Kirkstall	£38	C.
14 Maryke	B. N.	182* Roche	£38	C.
15* Wyckham	C. N.	191 S. Leonard's Hospital, York		
18 Monketon	B. N.	192 Fountains	£40	C.
25* Watton	£34			SCOTLAND.
26* Malton	G.	137 Newbattle		C.
27 Ellerton	G.	138* Melrose	£35	C.
28 S. Andrew's, York	G.	139 Balmerino (Bulmerinach)		C.
83* Gysborough	£35	140* Cupar	£35	C.
84 Newburgh	A. C.	141* Kelso	£38	C.
		142 Dunfermline		B.
		143* Dundrennan	£33	C.
		144* Glenluce		C.

CAPITOLO DELLE MAGIONI E MONASTERI ANTICHI D' INGHILTERRA  
E DI SCOZIA CHE FORNIVANO DI LANA I MERCANTI FIORENTINI.

1 Istanfetro	11 Rosedalla
2 Istanfetro	12 Sanchimento
3 Novochotano	13 Suino
4 Ampola Torcea	14 Maricche
5 Grimesbi	15 Vichamo in costa Rivalsi
6 Eninghe	16 Ancordone
7 Choccueke	17 Finechette
8 Langhelea	18 Monacherone
9 Ardena Torcea	19 Endicamo
10 Childomo	20 Leccheborno

*Inghilterra dell' Ordine d*

21	Bollintena	29
22	Sicchiselle	30
23	Orinesby	31
24	Marisea	32
25	Guantona	33
26	Maltona	34
27	Elertana	35
28	S. Andrea de Verruvicche	

*Inghilterra per le Magio*

36	Combrumera	59
37	Croccostrande	60
38	Lagrazadio	61
39	Diolacresca	62
40	Biliguassi	63
41	Stalleo in Zestri	64
42	Margana	65
43	Nietta	66
44	Lantarname	67
45	Tanterna	68
46	Dora	69
47	Istanforta	70
48	Biancilandia	71
49	Chinche Sulda	72
50	Ileona †	73
51	Bellan Gholera †	74
52	Binerdona	75
53	Letteleccia	76
54	Isola di Ghano †	77
55	Guarverlea	78
56	Forde	79
57	Labricciera di Condisgu-	80
	aldo	81
58	Muinamo	82

*Tutte le Magioni dell' Ordine Nero  
vendere in Inghili*

83	Chisilborno	89 I
84	Ninborgo in Torm	90 C
85	Brindellintonia	91 S
86	Chircamo	92 I
87	Giuttebi	93 I
88	Salleti	94 C

95	Grimesby in Landisca	117	Diapinghe presso Stanforte
96	Tornolino	118	Brono
97	Bardinaja	119	Crolanda Torcea
98	Marchebi in Landisca	120	Borgo S. Piero
99	Nocchosa	121	Ramixea
100	Rovincestri in Costepecchi	122	Donnistabile
101	Derlea in Torcea	123	Guicchichombo
102	Drechano in Torcea	124	Guesame in Chondisgualdo
103	Childisforte in Torcea	125	Parsole
104	Chonturbery	126	Chansbery †
105	Bortone sortretta in Torcea	127	Lofusteltro in Chondis- gualdo †
106	Ranpandonia in Torcea	128	Bindona
107	Lantona in Costa a Not- tingam	129	S. Andrea in Norettona
108	Nostra Donna di Linzestri	130	Osuea di Chondisgualdo
109	Chirbebi	131	Nottelea presso a Tamo
110	Gitterono †	132	Mertona in Costa a Londra
111	Lalandia	133	Burcestri presso a Brac- chalea
112	Novelluogo Scirenda	134	La Trinitade di Londra
113	Belluere	135	Gualtrano Torcea †
114	Finevera †	136	Santonogli borgo Sestri
115	Ispaldinghe in Torcea		
116	Tornai presso Ispaldinghe		

*Magioni di Scozia.*

137	Niobottoli	142	Donfermellino
138	Merusotto	143	Dondardana
139	Barmicciache	144	Ganellusso
140	Cupero	145	Dilvizistri †
141	Chilosola	146	Gramo †

*Inghilterra—Ordine de' Promustieri.*

147	Alnuicche in Ortobellanda	160	Dereforte in costa
148	S. Agata †	161	Beccamo in costa
149	Choveramo Torcea	162	S. Ildigonda
150	Toppolino	163	Mieldona
151	Berlinghe	164	Bialaffo
152	Niuxumi	165	Baleo in Essechisi
153	Croncestona	166	La Galea in Sifolco
154	Ottubo	167	Avenebi in Lendisia
155	Agrestano	168	Saperinghamo
156	Sallebi	169	S. Caterina †
157	Ticciifeltro	170	Averolino
158	Labella	171	Catellea
159	Ciappi in Vestre bellanda		

*Ordine di Cestello.*

172	Olcheltramo	180	Mieso in Inoldarnese
173	Nio Mostriere	181	Chirchistallo
174	Calderea in Coppolanda	182	Laroccia
175	Salleo	183	Revesbi
176	Giervalese	184	Suinsivede
177	Fornace	185	Lavalgio
178	Bielanda	186	Rufforte
179	Rivalse	187	Gierondona

CE SUNT CHI LES ABEISS D'ENGLETERRE ET KE LEUR LAINNES  
VALENT AU MAINS.

141	Killos	32	Alverghem
138	Maros	190	Ludepare
143	Boudernam †	183	Bevesby
140	Cupre	97	Bardenay
173	Nofmoustier	21	Boslentone
177	Fornais	150	Ufoline
174	Caldre	1	Stainfelt
172	Ocketran †	193	Kirkestede
191	lospital de Ew[e]rvic	194	lospital de Lincole
144	Cleenlus	99	Nocketoneparc
83	Guisebourne	171	Cartelay
148	sainte Aguche	184	Symenshovede †
176	Girvals	185	Waudien
179	Risvals	153	Croxtone
192	Fontainnes	63	Comme
178	Bekeland	196	Sailli en Wildesire †
175	Sailli en Grane	197	Barvesby †
85	Bellintone	75	Tylletey
15	Wycham	77	Sylbetone
86	Kercham	74	Cokesale
181	Kerkestal	76	Strafort
25	Wathone	55	Wavelai
180	Meaus	198	saint Auban
26	Maltone	61	Wardone
4	Hanepol	69	Wauboure
182	Roche	29	Sicsant
195	Wellembeke	2	Sixwalt
186	Ruffort	38	Grace dieu
112	Niewestede	39	Dieu le Croisie
51	Biauleu	59	Pipewelle
22	Sykle	57	Bruiere
3	Nonnecoton	36	Commermere
188	Borentone	64	Mireval
23	Ormesby	187	Grandone

40	Billewals	151	Berlinghe
54	Cariere	202	Messedene
65	Basinghewere	203	Dorenhallinc †
56	Forges	204	Doremham
199	Strameghel	72	Sautrai
42	Morgane	169	Sainte Chateline de Lincole
43	Neet	205	Cestre
48	Witteland	206	Sistre †
200	Chartouse	41	Stanlawe en Cestesire
62	Bettelsclane	68	Estanlee en Ew[e]rvic
67	Bordelay	207	Estanlee en Wiltesire
201	Wordelay	73	Bouckeselée
49	Kynswede	208	Estrafort
45	Tyreterne	209	Wattham
60	Tame	210	Niette
46	Bore †	154	Neubotte
52	Bendone		

## NOTES.

2. Höhlbaum suggests Southwell, but I prefer Stykeswold from comparison with the Florence list.

7. Peruzzi refers this to Cocksford in Norfolk—a house of Austin Canons, not of nuns.

11. Peruzzi refers to Oriel College, Oxford.

13. Peruzzi refers to Swine's Hill in Gloucestershire which I cannot identify.

17. Finechette may be either Fyneshead (or more commonly Castle Hymel) in Northamptonshire as Peruzzi supposes, or Finchale in Durham. In either case there is some mistake about it, as Castle Hymel was a house of Austin Canons and Finchale was a Benedictine Cell.

19. Endicamo can hardly be a second mention of Wyckham as Peruzzi supposes. Hedingham in Essex is possible.

21. For Boslentone Höhlbaum suggests Bilsington in Kent. I prefer to refer to a Lincolnshire house and one which was engaged in the wool trade: see number 188.

25. Peruzzi gives as the modern name S. Nectare de Hartland, which appears to have been a house of Austin Canons in Devonshire.

32. Peruzzi refers to Ingham, a priory in Norfolk.

47. Peruzzi refers to Stamford in Lincolnshire; but the existence of a Cistercian house there is doubtful: if the geographical arrangement were more strictly observed we might put it down as Stratafforda in Cardigan. Stratford in Middlesex which occurs in the Flemish list was a Benedictine Nunnery.

50. This might possibly be the Premonstratensian house of Halesowen.

60. See note to 131.

67. The transactions of the abbot of Bordeasley with two Florentines, Durante Bonyn and Theglas Therald, came before parliament in 1278, *Rot. Parl.* i. 1 (4).

76. See note to 47.

79. Cilesi in Chondigualdo. Perhaps Hayles, as this was the most important Cistercian house in the Cotswolds of which no mention is made.

81. There is a choice of several Welsh Cistercian houses which do not occur in the list but there does not seem any sufficient ground for identification.

82. Probably Maynan, commonly called Conway.

85. Höhlbaum gives Belton in Lincolnshire: I have preferred to give a house near the others, and one that occurs in the Florence list.

93. Bria. This may be Blia or Blyth, a Benedictine house in Nottingham.

99. Not Newhouse as Peruzzi, see 152.

107. Lenton was Cluniac though placed here among the Black Monks. It is spoken of as Benedictine in the continuation of Ingulf *Hist. Croyland* in *Berum Anglicarum Scriptores* i. 514.

110. Gitterono. I have no suggestion to offer. \*

112. Peruzzi refers to Newstead in Ancolm, a Gilbertine house. See 88.

114. Finevera. I have no suggestion to offer.

116. Not Thornholm in Lincolnshire as Peruzzi suggests for this could hardly be described as near Spalding.

126. Chansbery: there are several houses in this part of England with this termination, but there is none that seems specially probable.

127. I strongly suspect this is Luffield though it was not in the Cotswolds.

128. Not the Dorsetshire house, as Peruzzi suggests, for this has been mentioned above. See 52.

131. Peruzzi suggests Tame, but this has been already mentioned; see number 60.

134. It is a curious coincidence that the house to which the Cnigertengild gave their land was the only one in the City which is mentioned as having a trading connexion.

135. Waltham in the Essex marshes seems highly probable: it is mentioned in the Flemish list, see 209.

136. Peruzzi gives S. Salvator y Adon as the English name: this I cannot identify. S. Werburghs at Chester occurs in the Flemish list 205. See also below number 206.

139. This seems more probable than Brechin which Peruzzi gives.

141. As this occurs pretty clearly in the Florence list I prefer it to Höhlbaum's suggestion of Culross.

145, 146. Gramo may be Carham on Tweed. The priory of Coldingham had a large and important trade with Flemings in wool, and Berwick was used as the port of embarkation. Scott, *Berwick*, 61; but it seems more probable that it is omitted from this list than that it is represented by either name. The same may be said of Dryburgh and Jedburgh which also possessed large flocks. Scott, *Berwick*, 41.

154. Founded by Richard de Malabestia, see above p. 192.

158. I do not know Peruzzi's grounds for this identification.

168. Peruzzi gives Maldon in Essex, but the only Premonstratensian house there is mentioned below 165.

166. Peruzzi gives La Dale in Derbyshire but this seems most unlikely. Leystone was the only Premonstratensian house in Suffolk, but Langley was six or seven miles from the border.

168. Peruzzi gives Lavenden in Buckinghamshire, but it appears that the writer here reverted to the Gilbertines as the three remaining houses were of that order.

172. Höhlbaum has not identified this, but on comparing the Florence list it seems probable.

178. Höhlbaum gives Bockland in Devonshire as the equivalent of the name in the Flemish list, but this is inconsistent with the rough geographical arrangement: it also introduces a difficulty about the date of the list. See *Hans. Urk.* III. 586.

187. This I prefer to Grantham, which Höhlbaum gives while remarking that it is not satisfactory.

188. Höhlbaum gives Bullington: I am inclined to suggest Burton on Trent, see 105. The low price of wool would harmonise with this view.

196. This is obviously distinguished from and opposed to Sailli in Craven, number 175. One would expect to identify it with a Cistercian house in Wiltshire: compare numbers 50 and 79 which present a similar difficulty.

197. Barvesby. This I cannot identify.

208. This, as Varenbergh suggests, may be Dernhall or Vale Royal in Cheshire.

206. Cirencester is a possible suggestion: perhaps it might also suit for the unidentified Sestri in the Florentine list, see number 186.

## E.

INCIPIT TRACTATUS DE ORIGINE, NATURA, JURE, ET MUTATIONIBUS  
 MONETARUM, COMPOSITUS PER MAGISTRUM NICOLAUM ORESME,  
 SACRAE THEOLOGIE PROFESSOREM.

*Prologus.*

Quibusdam videtur quod aliquis rex aut princeps auctoritate propria possit de jure vel privilegio libere mutare monetas in suo regno currentes, et de eis ad libitum ordinare, ac super hoc capere lucrum seu emolumentum quantumlibet: aliis autem videtur oppositum. Propter quod intendo in praesenti tractatu de hoc scribere, quid secundum philosophiam Aristotelis principaliiter mihi videtur esse dicendum, incipiens ab origine monetarum: nihil temere asserendo, sed totum submitto correctioni majorum, qui forsan ex eis quae dicturus sum, poterunt excitari ad determinandum veritatem super isto, ita ut omni cessante scrupulo omnes in unam possint sententiam pariter convenire, et circa hoc invenire quod principibus et subjectis, immo toti reipublice proficiat in futurum.

CAPITULUM I. *Propter quid moneta sit inventa.*

Quando dividebat Altissimus gentes, quando separabat filios Adam, constituit terminos populorum. Inde multiplicati sunt homines super terram, et possessiones prout expediebat divisae sunt. Ex hoc autem contigit, quod unus habuit de una re ultra suam necessitatem; alius vero de eadem re habuit parum aut nihil; et de alia re e contrario fuit, sicut forsan quis abundavit ovibus et pane indiguit, et agricola e converso. Una etiam regio superabundavit in uno, et defecit in alio. Cœperunt ergo homines mercari sine moneta, et dabat unus alteri ovem pro frumento, et alius de labore suo pro pane vel lana, et sic de aliis rebus. Quod adhuc longo postea tempore fuit in quibusdam civitatis institutum, prout narrat Justinus. Sed tamen in hujusmodi permutatione et transportatione rerum, multæ difficultates acciderunt. Subtilisati sunt homines usum invenire monetæ, quæ esset instrumentum permutandi ad invicem naturales divitias, quibus de per se subveniuntur naturaliter humanæ necessitati. Nam ipsæ pecuniae dicuntur artificiales divitiae: contigit enim his abundantem mori fame, sicut exemplificat Aristoteles de rege cupido, qui oravit, ut quidquid ipse tangeret, aurum esset; quod Dii annuerunt, et sic fame periit, ut dicunt poëtæ; quoniam per pecuniam non immediate succurrit indigentiae vitæ, sed est instrumentum artificialiter adinventum pro naturalibus divitiis levius permutandis. Et absque alia probatione clare potest patere, quod numisma est valde utile bonæ communitati civili, et

Reipublicæ usibus opportunum, imo  
Aristoteles. V. Ethicorum. Quanquan

Effiduntur opes irritamenta n  
Jamque nocens ferrum ferroqu  
Prodierat, etc.

Hoc enim facit perversa malorum cu  
que est humano convictui multum acc  
se bonus est. Inde aut Cassiodorus:  
creberrimo viles esse videantur, animad  
a veteribus ratione collectæ sunt. Et  
constat monetarios in usum publicum sq

### CAPITULUM II. *De qua materi*

Et quoniam moneta est instrume  
naturales, ut patet ex capitulo præced  
ad hoc tale instrumentum esset aptum  
manibus attractabile seu palpabile, et  
pro modica ipsius portione habeantur d  
tate majori, cum aliis conditionibus  
Oportuit igitur quod numisma fieret d  
eiusmodi est aurum. Sed talis mate  
abundantia. Propter quod ubi aurum  
cum hoc de argento; ubi autem ista di  
vel non haberentur, debet fieri mixtio, a  
puro metallo; sicut antiquitus fiebat ex  
Fastorum dicens :

*Era dabant olim, melius nunc e  
Vicaque concedit prisca mon*

Similem etiam mutationem promis  
prophetam dicens: *Pro ære afferam au  
argentum.* Hæc enim metalla sunt ad  
ut Cassiodorus inquit, *primi dicuntur  
Indus rex Scythia reperisse et humano  
disse.* Et ideo non debet permitti qu  
alios applicetur, quod residuum non su  
Theodosius rex Italæ recte advertens,  
more gentium in sepulchris mortuorum  
depromi, et usui monete ad utilitatem  
dicens, *culpæ genus esse inutiliter in abd  
unde se via potest sustentare viventium  
politia quod talis materia sit nimis abu  
moneta ærea recessit ab usu, ut ait Ovid  
ab hoc humano generi provisum est ut  
sunt ad hoc aptissima, non facile habet  
possint per alchimiam leviter fieri, sicut  
ita dicam, juste obviat ipsa natura, cu  
excedere.*

### CAPITULUM III. *De diversitate materie monetarum et mixtione.*

Moneta, ut dicit primum capitulum, est instrumentum mercaturæ. Et quoniam communitat et cuiilibet expedit mercaturam fieri aliquotiens magnam seu grossam, quandoque vero minorem, et plerumque de parvis vel parvam, inde est quod conveniens fuit habere monetam pretiosam, quæ facilius portaretur et numeraretur, et quæ magis esset habilis ad mercaturas majores. Expedivit etiam habere argenteam, minus scilicet pretiosam, quæ apta est ad recompensationes et æquiparantias faciendas, et pro emptione mercimoniorum minorum. Et quoniam aliquotiens in una regione non satis est competenter de argento, secundum portionem divitiarum naturalium; imo portiuncula argenti, quæ juste dari deberet pro libra panis vel aliquo tali, esset minus bene palpabilis propter nimiam parvitatem, ideo facta fuit de minus bona materia cum argento; et inde habuit ortum nigra moneta, quæ est congrua pro minutis mercaturis. Et sic convenientissime, ubi non abundat argentum, sunt tres materie monetarum, prima aurea, secunda argentea, et tertia nigra mixta. Sed animadverendum est et notandum pro regula generali, quod nunquam debet fieri mixtio, nisi tantummodo ex minus precioso metallo de quo consuevit fieri parva moneta. Verbi gratia, ubi haberetur moneta ex auro et argento, mixtio nunquam facienda est in moneta aurea, si tamen aurum talis naturæ fuerit, quod monetari possit immixtum. Et est causa, quoniam omnis talis mixtio de se suspecta est, nec facile possunt auri substantia, et ejus quantitas in mixtione cognosci. Propter quod nulla mixtio debet in monetis fieri, nisi propter necessitatem jam tactam; et tunc facienda est, ubi suspicio est minor vel deceptionis minoris, et hoc est in minus pretioso metallo. Rursum nulla talis mixtio facienda est, nisi duntaxat pro utilitate communi, ratione cuius moneta est inventa et ad quam naturaliter ordinatur, ut patet ex prius dictis. Sed nunquam est necessitas, nec appetit communis utilitas, faciendi mixtionem in moneta aurea, ubi habetur argentea; nec videtur posse bona intentione fieri, neque unquam factum est in communitate prospere gubernata.

### CAPITULUM IV. *De forma seu figura monetæ.*

Cum primum cœpissent homines mercari sive comparare divitias mediante moneta, nondum erat in ea aliqua impressio vel imago, sed una portio argenti vel æris dabatur pro potu vel cibo, quæ quidem portio mensurabatur ad pondus. Et quoniam tediosum erat ita crebro ad trutinam recurrere, nec bene poterat pecunia mercaturis æquiparari per pondus; cum hoc esset ut in pluribus venditor non poterat cognoscere metalli substantiam sive modum mixtionis, ideo per sapientes illius temporis prudenter provisum est, quod portiones monetæ fierent de certa materia et determinati ponderis, quodque in eis imprimeretur figura, quæ

cunctis notoria significaret qualitatem materiæ numismatis et ponderis veritatem, ut amota suspicione posset valor monetæ sine labore cognosci. Quod autem impressio talis instituta sit nuntius et in signum veritatis materiæ et ponderis nobis ostendunt antiqua nomina monetarum cognoscibilium ex impressionibus vel figuris, cujusmodi sunt libra, solidus, denarius, obolus, as, sextula, et similia quæ sunt nomina ponderum appropriate monetis, ut ait Cassiodorus. Similiter sicutus est nomen monetæ, ut patet in Genesi, et est nomen ponderis, ut patet ibidem. Alia vero nomina moneta sunt improoria, accidentalia seu denominativa a loco, a figura, ab auctore, vel aliquo tali modo; portiones autem monetæ quæ dicuntur *numisma*, deberent esse figuræ et quantitatis habilis ad contrectandum et ad numerandum, et de materia numerabili, ac etiam ductibili ac recepticili impressionis sive tenaci. Et inde est quod non omnis res pretiosa apta est ut fiat numisma: gemmæ enim, lazuleus, piper, et talia non sunt ad hoc apta nata, sed præcipue aurum et argentum, sicut fuit supra tactum.

#### CAPITULUM V. *Cui incumbit facere numisma.*

Adhuc autem fuit antiquitus ordinatum, et propter deceptionem cavendam, quod non licet cuilibet facere monetam, aut hujusmodi figuram vel imaginem imprimere in suo proprio argento et auro, sed quod moneta vel characteris impressio fieret per unam personam publicam, seu per plures a communitate ad hoc deputatas; quia, sicut præmissum est, moneta de natura sua instituta est et inventa pro bono communitatis. Et quoniam princeps est persona magis publica, et majoris auctoritatis, conveniens est quod ipse, pro communitate, faciat fabricare monetam et eam congrua impressione signare. Hæc autem impressio debet esse subtilis, et ad effigiandum seu contrafaciendum difficilis. Debet etiam prohiberi sub pena ne aliquis extraneus princeps vel alter fabricaret monetam similem in figura et minoris valoris, ita quod vulgus nesciret distinguere inter istam et illam. Hoc esset malefactum, nec aliquis potest de hoc habere privilegium; quia falsitas est, et causa juste bellandi contra talem extraneum.

#### CAPITULUM VI. *Cujus sit ipsa moneta.*

Quamvis pro utilitate communi princeps habeat signare numisma, non tamen ipse dominus seu proprietarius est monetæ currentis in suo principatu. Moneta siquidem est instrumentum sequalens permutandi divitias naturales, ut patet ex primo capitulo. Ipsa igitur est eorum possessio quorum sunt hujusmodi divitiae. Nam si quis dat panem suum, vel laborem proprii corporis pro pecunia, cum ipse eam recepit, ipsa est sua, sicut erat panis vel labor corporis, qui erat in ejus potestate libera, supposito quod non sit servus. Deus enim a principio non dedit solis principibus libertatem ad dominium rerum, sed primis parentibus

et toti posteritati, ut habetur in Genesi. Moneta igitur non est solius principis. Si quis autem vellet opponere per hoc, quod Salvator noster, ostenso sibi quodam denario, interrogavit dicens, *Cujus est imago et superscriptio hæc?* et cum responsum esset, *Cæsaris*, ipse sententiavit dicens: *Reddite ergo quæ sunt Cæsaris, Cæsari, et quæ Dei sunt, Deo.* Acsi diceret: Cæsaris est numisma, ex quo imago Cæsaris in eo est impressa. Sed insipienti seriem Evangelii patet facile, quod non ideo dicitur Cæsari deberi denarius, quia erat Cæsaris imagine superscriptus, sed quoniam erat tributum. Nam, ut ait Apostolus: *Cui tributum, tributum, et cui vectigal, vectigal.* Christus itaque signavit, per hoc posse cognosci cui debeatur tributum: quia illi debebatur, qui pro republica militabat, et qui ratione imperii poterat fabricare monetam. Est igitur pecunia communitatis et singularium personarum: et ita dicit Aristoteles *vii<sup>o</sup>* Politicæ, et Tullius circa finem veteris Rhetoricæ.

#### CAPITULUM VII. *Ad cujus expensas fabricanda sit moneta.*

Sicut ipsa moneta est communitatis, ita facienda est ad expensas communitatis. Hoc autem fit convenientissime, si hujusmodi expensæ accipientur supra totam monetam, per hunc modum quod materia monetabilis, sicut aurum quando traditur ad monetandum vel venditur pro moneta, detur pro minori pecunia quam possit fieri ex ea sub certo pretio taxato, verbi gratia, si ex marca argenti fieri possint LXII solidi, et pro labore et necessariis ad monetandum eam requirantur duo solidi, tunc marca argenti non monetata valebit LX solidos et alii duo erunt pro monetatione. Hæc autem portio taxata debet esse tanta quod sufficiat abundantem omni tempore pro fabricatione monetæ. Et si moneta possit fieri pro minori pretio, satis congruum est quod residuum sit distributori vel ordinatori, scilicet principi vel magistro monetarum, et sic quasi quædam pensio. Sed tamen hujusmodi portio debet esse moderata, et sufficienter satis parva, si monetæ sufficent debito modo, ut dicetur postea. Et si talis portio vel pensio esset excessiva, hoc foret in damnum et præjudicium totius communitatis, sicut potest unicuique faciliter apparere.

#### CAPITULUM VIII. *De mutationibus monetarum in generali.*

Ante omnia sciendum est, quod nunquam sine evidenti necessitate mutandæ sunt priores leges, statuta, consuetudines seu ordinationes quecumque, tangentes communitatem. Imo, secundum Aristotelem in *ii<sup>o</sup>* Politicæ, lex antiqua positiva non est abroganda pro meliore nova, nisi sit multum notabilis differentia in bonitate earum, quoniam mutationes hujusmodi diminunt ipsarum legum auctoritatem et reverentiam, et multo magis si frequenter fiant. Ex hoc enim oritur scandalum et murmur in populo, et periculum inobedientiæ. Maxime autem si tales

mutationes essent in pejus, nam tunc forent intolerabiles et injustæ. Nunc autem ita est, quod cursus et pretium monetarum in regno debet esse quasi quædam lex et quædam ordinatio firma. Cujus signum est, quod pensiones et quidam redditus annuales taxati sunt ad pretium pecunie, scilicet ad certum numerum librarum vel solidorum. Ex quo patet, quod nunquam debet fieri mutatio monetarum, nisi forsan emineret necessitas, aut evidens utilitas pro tota communitate. Unde Aristoteles, *vº Ethicorum*, loquens de numismate, *Verumtamen*, inquit, *vult manere magis*. Mutatio autem monete (prout in generali possum perpendere) potest imaginari fieri multipliciter: uno modo in forma seu figura præcise, alio modo in proportione, alio modo in pretio vel appellatione, alio modo in quantitate vel pondere, et alio modo in substantia materiæ. Quolibet enim istorum quinque modorum sigillatim aut pluribus simul potest mutari moneta. Bonum est igitur istos modos discurrendo declarare, et per rationem inquirere, si aliquo eorum potest juste mutari moneta, et quando, et per quem, et qualiter, et propter quid.

#### CAPITULUM IX. *De mutatione monetae in figura.*

Figura impressa seu character monetae potest dupliciter innovari. Uno modo, non prohibendo cursum monetae prioris, ut si princeps in moneta, quæ sit suo tempore, inscriberet nomen suum, permittendo semper cursum præcedentis. Et hoc non est proprie mutatio, nec est magna vis si hoc fiat, dum tamen non implicetur cum hoc alia mutatio. Alio modo potest innovari figura, faciendo novam monetam cum prohibitione cursus antiquæ. Et est proprie mutatio; et potest fieri juste propter alteram duarum causarum. Una est si aliquis princeps extraneus, vel aliqui falsarii, malitiose effigiarint vel contrafecerint modulos seu cuneos monetarum, et inveniatur in regno moneta sophistica, falsa et similis bonæ in colore et figura: tunc qui non posset aliter remedium apponere, expediret mutare modulos et figuram impressionis monetae. Alia causa posset esse, si forsan antiqua moneta esset vetustate nimia impeiorata, vel in pondere diminuta: tunc cursus deberet prohiberi, et in nova meliore esset facienda impressio differens, ut vulgus sciret per hoc distinguere inter istam et illam. Sed non videtur mihi, quod princeps posset inhibere cursum prioris monetae sine altera istarum causarum; alias enim talis mutatio esset praeternecessaria, scandalosa, et communitati damnosa. Nec appetat quod princeps ad talem mutationem posset aliunde moveri, nisi propter alterum duorum: aut videlicet, quia vult ut in quolibet numismate inscribatur nomen suum et nullum aliud, et hoc esset facere irreverentiam prædecessoribus suis et ambitio vana; aut quia vult plus fabricare de moneta, ut ex hoc habeat plus de lucro, juxta illud quod tactum est supra in capitulo *vii*, et hoc est prava cupiditas, in præjudicium et damnum totius communitatis.

Proportio est rei ad rem comparatio, vel habitudo: sicut in proposito monetæ aureæ ad monetam argenteam debet esse certa habitudo in valore et pretio. Nam secundum hoc quod aurum est de natura sua pretiosius et rarius argento, et ad inveniendum vel habendum difficultius, ipsum aurum aequalis ponderis debet prævalere in certa proportione; sicut forsitan esset proportio viginti ad unum, et sic una libra auri valeret viginti libras argenti et una marcha  $\frac{xx}{3}$  marchas, et una uncia  $\frac{xx}{3}$  uncias, et sic semper conformiter. Et possibile est quod sit una alia proportio, sicut forte  $\frac{xxv}{3}$  ad tria, et quævis alia. Verumtamen ista proportio debet sequi naturalem habitudinem auri ad argentum in pretiositate, et secundum hoc instituenda est hujusmodi proportio, quam non licet voluntarie transmutare, nec potest juste variari, nisi propter causam realem, et variationem ex parte ipsius materiæ, quæ tamen raro contingit. Ut si forsitan notabiliter minus inveniretur de auro, quam ante, tunc oporteret quod esset carius in comparatione ad argentum, et quod mutaretur in pretio et valore. Si parum aut nihil sit mutatum in re, tunc hoc nullo modo posset licere principi. Nam si hujusmodi proportionem ad libitum immutaret, ipse per hoc posset attrahere sibi indebet pecunias subditorum, ut si taxaret aurum ad parvum pretium, et illud emeret pro argento, deinde augmentato pretio, rursum venderet aurum suum vel monetam auream, vel conformiter de argento: illud esset simile, siout si poneret pretium in toto frumento regni sui, et emeret et postea venderet pro majori pretio. Quisque certe potest clare videre quod ista esset injusta exactio, et vere tyrannis: immo videretur violentior et pejor quam illa fuerit quam fecit Pharaon in Aegypto. De qua Cassiodorus inquit: *Joseph legimus contra famam funestam, emendi quidem tritici dedisse licentiam, sed tale posuisse pretium, ut sua subjectione avidus populus se venderet, potius alimoniam mercatus.* Qualis fuit rogo tunc miserum vivere, quibus acerba subventio libertatem suam videbatur adimere, ubi non minus ingemit liberatus quam potuit fere captivus. *Credo virum sanctum hac necessitate constrictum, ut et avaro principi satisfaceret, et periclitanti populo subveniret.* Hæc ille. Istud autem monopolium monetarum adhuc esset verius tyrannicum, eo quod foret magis involuntarium et communitati non necessarium, sed præcise damnosum. Si quis autem dicat quod non est simile de frumento, quia aliqua spectant specialiter ad principem in quibus potest statuere pretium prout placet, sicut dicunt aliqui de sale, et fortiori ratione de moneta; istud autem monopolium seu gabella salis, sùt cuiuscumque rei necessariae communitati, injusta est. Et si qui principes statuerint leges hoc eis concedentes, ipsi sunt de quibus Dominus per Isaiam prophetam dicit, *Væ qui condunt leges iniquas et scribentes injusticias scripserunt, etc.* Rursum ex primo et sexto capitulis satis patet, quod pecunia est ipsius communitatis. Ideoque, et ne princeps possit malitiose fingere

causam mutationis proportionis monetarum in praesenti capitulo assignatam, ipsi soli communitati spectat decernere, si et quando et qualiter et usquequo immutanda est hujusmodi proportio, nec princeps hoc debet sibi quomodolibet usurpare.

CAPITULUM XI. *De mutatione appellationis monetæ.*

Sicut fuit dictum capitulo IIII, quædam sunt appellationes seu necessaria accidentalia in monetarum, denominativa ab auctore, vel a loco, et ista quasi nihil vel modicum faciunt ad propositum. Sed alia sunt magis essentialia et appropriata numismati, sicut denarius, solidus, libra, et similia, quæ denotant pretium, sive pondus, et quæ fuerunt alta consideratione et magno mysterio ab antiquis imposita. Unde Cassiodorus, *Animadvertisendum est*, inquit, *quanta ratione ipse pecunia a veteribus collectæ sunt. Sex milia denariorum solidum esse volebant, scilicet ut radiantis metalli formata rotunditas cætatem mundi, quasi sol aureus, convenienter includeret.* *Senarium vero (quem non immerito perfectum antiquitas docta definivit) uncia, qui mensura primus gradus est, appellatione significavit, quam duodecim similitudine mensium computatum in libræ plenitudinem ab anni circulo collegerunt.* *O inventa prudentium! O provisa majorum! Exquisita res est, quæ et usui humano necessaria distingueret, et tot arcana naturæ figuraliter contineret.* Merito igitur dicitur libra, quæ tanta rerum est consideratione trutinata. Hæc ille. Si autem alio modo utamur pro nunc istis nominibus et nummis, nunquam tamen immutanda sunt frustra. Sint igitur, gratia exempli, tres modi numismatis: primum valeat unum denarium, secundum unum solidum, et tertium unam libræ. Si ergo appellatio unius immutetur, et non alterius, jam variabitur proportio. Sicut qui vocaret vel faceret valere primum numisma duos denarios, aliis non mutatis, proportio esset variata; quod non licet fieri (ut patet ex capitulo præcedenti) nisi forte rarissime, et hoc ad præsens non euro. Oportet igitur si proportio remaneat immutata, et unum numisma mutet appellationem, quod aliud etiam proportionabiliter immutetur: ut si primum vocetur duo denarii, secundum vocetur duo solidi, et tertium duæ libræ. Si autem non fieret alia mutatio, oporteret mercimonia ad majus pretium comparare proportionabiliter seu appellare. Sed talis mutatio nominum fieret frustra, et non est facienda, quia scandalosa esset, et appellatio falsa. Illud enim vocaretur libra, quod in veritate non esset libra; quod est inconveniens, ut nunc dictum est. Verumtamen nullum aliud inconveniens sequeretur, ubi non essent pensiones vel aliqui reditus ad pecuniaæ numerum assignati; ubi vero essent, statim patet, quod cum inconvenientibus prædictis hujusmodi reditus ex tali mutatione proportionaliter minuerentur, aut crescerent irrationaliter et injuste, ac etiam in præjudicium multorum. Nam ubi pensiones vel reditus aliquorum essent nimis parvi, deberent per alium modum specialem augeri, et non isto modo præjudiciali et damoso. Hæc ergo appellationis

mutatio præcise nunquam est facienda, et maxime princeps in nullo casu debet hoc attentare.

CAPITULUM XII. *De mutatione ponderis monetarum.*

Si pondus numismatis mutaretur, et cum hoc variaretur proportionabiliter pretium, et appellatio cum figura, hoc esset facere aliud genus monetæ; sicut qui faceret de uno denario duos obolos, vel aliquid tale, sine perditione vel lucro. Et istud posset licite aliquotiens fieri propter aliquam transmutationem realem in materia monetabili, quæ non potest nisi rarissime contingere, sicut de quadam alia mutatione dictum est cap. x. Nunc autem volo dicere de præcisa mutatione ponderis seu quantitatis monetæ, quæ fieret appellatio et pretio non mutatis. Et videatur mihi quod talis mutatio est simpliciter illicita, potissimum principi qui nullo modo potest hoc facere, nisi turpiter et injuste. Primo namque, quoniam imago seu superscriptio in numismate per principem ponitur ad designandum certitudinem ponderis, et materie qualitatem, sicut fuit ostensum supra cap. IIII. Ergo si non responderet veritas in pondere, patet statim quod esset falsitas vilissima et deceptio fraudulenta. Sæpe enim mensuræ bladi et vini et alie signatae sunt publico signo regis, et si quis in istis fraudem committat, reputatur falsarius. Omnino autem consimiliter suscriptio numismatis significat mensuram ponderis et materie veritatem. Quam igitur sit iniquum, quam detestabile, præcipue in Principe, sub eodem signo pondus minuere, quis sufficeret explicare? De hoc enim ad istud propositum Cassiodorus v° Variarum sic inquit: *Quid enim tam nefarium, quam ut prescriptionibus liceat etiam in ipsa trutina qualitate peccare, ut quod est justitiae proprium datum, hoc per fraudes noscatur esse corruptum.* [Idemque lib. I, cap. x: *Talia igitur secreta violare, sic certissima velle confundere, nonne veritatis ipsius videtur esse crudelis ac fœda laceratio?* Exerceantur negotiatores in mercibus; emantur late quæ vendantur angustius. Constat populus pondus ac mensura probabilis: quia cuncta turbantur, si integritas cum fraudibus misceatur. Da certe solidum, et aufer inde, si prævales. Trade libram, et aliquid inde, si potes, imminue. Cuncta ista, nominibus ipsis constat esse provisum, aut integra tribuis, aut non ipsa quæ dicuntur, exsolvis. Non potestis omnino, non potestis nomina integratum dare, et scelestas imminutiones efficere]. Adhuc autem Princeps per hunc modum sibi posset adquirere pecuniam alienam, nec aliunde potest moveri ad mutationem hujusmodo faciendam. Reciperet enim numismata boni ponderis, et ex eis fabricaret et traderet numismata tempore mutilato pondere. Et hoc non est aliud quam quod in multis locis sacrae Scripturæ prohibetur a Deo: Inde ait sapiens: *Pondus et pondus, mensura et mensura, utrumque abominabile apud Deum.* Et in Deuteronomio dicitur, *quod Dominus abominatur eum qui facit hoc.* Et ideo divitiae taliter congregatæ in malum domini sui, consumuntur in brevi, quia, sicut ait Tullius, *male parta male dilabuntur.*

CAPITULUM XIII. *De mutatione materia monetarum.*

Aut materia numismatis est simplex, aut mixta, ut patuit ex capitulo tertio. Si simplex, ipsa potest propter defectum dimitti: ut si nihil aut modicum auri possit inveniri, oportet ipsum desinere monetari; et si de novo reperiretur sufficiens abundantia ejus, incipiendum esset facere monetam ex ipso, sicut aliquotiens fuit factum. Rursus aliqua materia deberet dimitti monetari propter abundantiam excessivam. Propter hoc enim ærea moneta olim recessit ab usu, ut dictum fuit in eodem capitulo tertio. Sed hujusmodi cause eveniunt rarissime, et in nullo alio relinquenda est vel assumenda noviter pura sive simplex materia monetarum. Si autem in tali materia sit mixtio, ipsa debet fieri solum in minus precioso metallo per se monetabili (ut probatum fuit in eodem capitulo tertio) et in nigra moneta, ut cognoscatur purum a mixto. Hæc autem mixtio debet esse secundum certam proportionem, sicut decem de argento contra unum, vel contra tria de alio metallo, vel alio modo, sicut expedit, secundum prius dicta in capitulo tertio. Et ista proportio potest mutari propter aliquam proportionem seu variationem realem in natura materiæ vel æquivalentis, et dupliciter: aut propter defectum materiæ, sicut qui non haberet argentum, nisi multum notabiliter minus quam ante, tunc potest diminui proportio argenti ad reliquum metallum in nigra moneta; aut si haberetur de argento abundantiter plus quam ante, tunc plus de eo deberet poni in ista mixtione. Sed, sicut predictum est, istæ cause valde raro contingunt, et si forsan talis casus aliquotiens evenerit, adhuc hujusmodi proportionis sive mixtionis mutatio facienda est per communitatatem ad majorem securitatem habendam, et deceptionis malitiam evitandam; sicut de mutatione proportionis monetarum dictum est in capitulo x. In nullo vero alio casu debet mutari mixtio talis sive proportio mixtionis, potissime nunquam potest hoc licere Principi, propter rationes factas in capitulo præcedenti, quæ de directo faciunt ad istud propositum, quoniam impressio monetæ est signum veritatis materiæ et hujusmodi mixtionis; hanc igitur mutare, esset monetam falsificare. Præterea in quibusdam nummis inscribitur nomen Dei, vel alicujus sancti, et signum crucis; quod fuit inventum et antiquitus institutum in testimonium veritatis monetæ in materia et pondere. Si igitur Princeps sub ista inscriptione immutet materiam sive pondus, ipse videtur tacite mendacium et perjurium committere, et falsum testimonium perhibere, ac etiam prævaricator fieri illius præcepti legalis quo dicitur: *Non assumes nomen Dei tui in vanum.* Etiam ipse abutitur hoc vocando monetam; nam, secundum Hugitionem, *moneta dicitur a moneo*, quia monet ne fraud in metallo vel pondere sit. Rursum princeps per hunc modum ad se posset trahere populi substantiam indebitæ, sicut fuit dictum de mutatione ponderis in priori capitulo, et multa alia inconvenientia sequentur. Imo pro certo ista falsitas esset peior quam in mutatione ponderis: quia magis est sophistica, et minus

perceptibilis, et magis potest nocere et plus laedere communitatem. Et propter hoc, ubi fit talis mixtio vel nigra moneta, communitas debet custodire penes se, in loco vel locis publicis, exemplar istius proportionis et qualitatem mixtionis, pro vitandis periculis; ne videlicet Princeps (quod absit!) vel monetarii mixtionem hujusmodi occulte falsificarent. Sicut etiam apud communitatem servantur quandoque aliarum mensurarum exemplaria.

**CAPITULUM XIII. *De mutatione composita monetarum.***

Mutatio monete composita est, quando plures mutationes simplices implicantur in unam, sicut qui mutaret simul proportionem monetæ vel mixtionem materiæ, vel cum hoc etiam pondus. Et sic multipliciter fierent combinationes possibles quandoque mutationum simplicium superius positarum. Et quoniam nulla mutatio simplex debet fieri, nisi propter reales et naturales causas jam dictas, quæ rarissime accidunt, sciendum quod adhuc rarius, imo forte nunquam, contigit vera occasio faciendi mutationem monetæ compositam. Et si forsan contingeret, adhuc fortiori ratione quam de simplici, talis mutatio composita nunquam debet per Principem fieri, propter pericula et inconvenientia prius tacta, sed per ipsam communitatem. Nam si ex mutationibus simplicibus indebit factis tot abusiones sequuntur, sicut dictum est ante; multo maiores et peiores sequentur ex mutatione composita. Moneta namque debet esse vera et justa in substantia et pondere, quod nobis signatum est in sacra scriptura, ubi de Abraham dicitur, quod ipse emit agrum, pro quo dedit ccoc siclos argenti probatæ monetæ publicæ. Si igitur ipsa foret bona, et non mutaretur indebit, cum ipsa sit longo tempore durabilis, non oporteret de ea multum fabricare, nec plures monetarios ad expensas communitatis habere. Et in hoc esset utilitas communis, sicut tactum fuit capitulo VII. Universaliter igitur ex premissis concludendum est, quod nulla mutatio monetæ, sive simplex, sive composita, est sola principis auctoritate facienda; et maxime ubi hoc vellet facere propter emolumentum et lucrum ex tali mutatione sumendum.

**CAPITULUM XV. *Quod lucrum quod provenit principi ex mutatione monetæ sit injustum.***

Videtur mihi, quod principalis et finalis causa, propter quam princeps vult sibi assumere potestatem mutandi monetas, est emolumentum vel lucrum quod potest inde habere: aliter enim frustra faceret tot et tantas mutations. Volo ergo adhuc plenius ostendere, quod talis acquisitio est injusta. Omnis enim mutatio monetæ, præterquam in rarissimis casibus prius dictis, falsitatem et deceptionem includit, et non potest principi pertinere, sicut probatum est ante. Ex quo ergo princeps hanc rem de se injustam usurpat injuste, impossibile est quod ibi capiat emolumentum juste. Præterea, quantum princeps capit ibi de

lucro tantum necesse est ipsan  
Quidquid autem princeps fecit  
est et factum tyrannicum, nor  
ipse diceret, sicut solent ment  
convertit in publicam utilitate  
pari ratione posset mihi tuni  
indigeret ea pro communi com  
non sunt facienda mala ut e  
turpiter extorqueri ut postea  
Rursum, si princeps de jur  
mutationem monetæ et ibi ca  
potest facere majorem mutationem  
mutare pluries et adhuc plus ha  
vel mutationes compositas, et  
modos prius tactos; et verisim  
successores sui, aut proprio n  
istud liceret, quia natura hu  
augendum sibi divitias quand  
tandem princeps potest sibi a  
divitias subditorum et eos in  
directe tyrannisare, imo vera e  
philosophos et per historias ant

CAPITULUM XVI. *Quod l  
inn*

Quamvis omnis injustitia  
verumtamen accipere lucrum  
speciali modo injustum in nat  
dam naturalibus divitiis se mu  
sata cum multo fenero reddit  
osum est et contra naturam q  
sterilis a tota specie fructifice  
est pecunia. Quum igitur ips  
nendo eam in mercatione nat  
rium ac sibi naturale, sed e  
sicut mutando unam in aliam  
lucrum vile est et preter nat  
probatur Aristoteles primo  
naturam, quia naturalis usus n  
tum permutandi divitias nat  
igitur utitur ea alio modo, ij  
naturalem monetæ; facit enim  
pariat denarium, quod est co  
istis mutationibus ubi capitur  
illud quod in veritate non est  
est libra, et ita de aliis sicut  
quod hoc non est aliud nisi  
bare; unde Cassiodorus ait:  
*prævales; trade libram et ali*

*nominibus ipsis constat esse provisum aut integrum tribuis aut non ipsa que dicuntur exsolvis; non potest omnino nomina integratum dare et scelus imminutiones efficer. Talia ergo naturae secreta violare, sic certissima velle confundere nonne veritatis ipsius videtur crudelis ac fœda laceratio? Constat prius pondus ac mensura probabilis quia cuncta turbantur si integratas cum fraudibus misceatur. Rursum in libro Sapientie dicitur quod omnia Deus disposuit mensura, pondere et numero, sed in mutatione monetæ lucrum non capitur nisi fraus in istis rebus certissimis committatur, sicut prius declaravi. Ergo Deo et naturae derogat qui sibi ex hujusmodi mutationibus lucrum captat.*

**CAPITULUM XVII.** *Quod lucrari in mutatione monetæ pejus est quam usura.*

Tres sunt modi, prout mihi videtur, quibus aliquis potest in moneta lucrari, absque hoc quod exponat eam in usu suo naturali: unus per artem campsoriam, custodiam vel mercantiam monetarum; alius est usura; tertius monetæ mutatio. Primus modus vilis est, secundus malus, et tertius pejor. De primis duobus fecit Aristoteles mentionem et non de tertio, quia tempore suo talis malitia nondum fuerat adinventa. Quod autem primus sit vilis et vituperabilis hoc probat Aristoteles per rationem jam tactam in præcedenti capitulo; hoc enim est quodam modo facere pecuniam parere. Artes etiam campsoriam vocat *abolostaticam*, quod vulgariter solet dici *pictaviragium*; propter quod sanctus Matheus apostolus qui fuerat campsor, non est reversus ad priorem operam post resurrectionem dominicam, sicut fecit Petrus qui fuerat piscator; et in assignando causam hujusmodi, dicit Beatus Gregorius quod *aliud est victimum per punctionem querere aliud theloni lucris pecunias augere. Sunt enim, inquit, pleraque negotia que sine peccatis aut vix aut nullatenus exerceri possunt, etc.* Nam sunt quædam artes banausæ quæ maculant corpus, sicut est cloacaria, et aliae maculant animam sicut est ista. De usura vero certum est quod est mala, detestabilis et iniqua, et ista habentur ex sacra Scriptura; sed nunc restat ostendere quod lucrum sumere in mutatione monetæ est adhuc pejus quam usura. Usurarius vero tradidit pecuniam suam ei qui recipit eam voluntarie et qui postea potest ex ea se juvare ac inde sua necessitati succurrere, et illud quod dat alteri ultra sortem est ex contractu voluntario inter partes, sed princeps in indebita mutatione monetæ accipit simpliciter involuntarie pecuniam subditorum, quia prohibet cursum prioris monetæ, melioris, et quam quilibet plus vellet habere quam malam; deinde praeter necessitatem absque utilitate, quæ ex eo posset provenire subditis, ipse reddet eis pecuniam minus bonam. Etsi faciat meliorem quam ante, hoc tamen est ut deterioretur in posterum et tribuat eis minus æquivalenter de bona quam receperat de alia, et qualitercumque sit, ipse retinet profecto partem pro se. In hoc igitur quod ipse supra pecuniam recipit incrementum, contra et præter naturalem ipsius usum, ista

adquisitio par est ipsi usuræ, sed pejor quam usura, eo quod est minus voluntaria vel magis contra voluntatem subditorum, et absque hoc quod possit ipsis proficere, et præter necessitatem penitus. Et quoniam lucrum fœneratoris non tantum excedit, nec est ita præjudiciale generaliter multis, sicut istud quod contra et supra totam communitatem impositum, non minus tyrannice quam dolose, ita ut sit mihi dubium an potius debeat dici violenta prædatio, vel actio fraudulenta.

**CAPITULUM XVIII.** *Quod tales mutationes monetarum, quantum est ex se, non sunt permittendæ.*

Aliquotiens ne pejus eveniat, et pro scandalo evitando, permittuntur in communitate aliqua in honesta et mala, sicut lupanaria publica. Aliquando etiam pro aliqua necessitate vel oportunitate permittitur aliqua negotiatio vilis, sicut est ars camporis, vel etiam prava, sicut est usura. Sed de tali mutatione monetæ pro lucro accipiendo, non appareat aliqua causa mundi, quare tantum lucrum debeat an possit admitti. Quoniam per istud non evitatur scandalum, sed potius generatur, ut satis patet ex octavo capitulo, et multa inconvenientia inde sequuntur, quorum aliqua jam tacta sunt, et adhuc aliqua postea videbuntur, nec est aliqua necessitas sive oportunitas hoc faciendi, neque potest reipublicæ expedire. Cujus rei manifestum signum est, quod mutationes hujusmodi sunt noviter adinventæ, sicut jam tactum est in capitulo præcedenti. Nunquam enim sic factum est in civitatibus aut regnis olim prospere gubernatis, nec unquam reperi historiam quæ de hoc faceret mentionem, hoc excepto quod in quadam epistola Cassiodori scripta nomine Theodorici Regis Italie, una parva mutatio in pondere facta, durissime reprehenditur, et multum efficaciter reprobatur, quam quidem efficacius fecerat pro quibusdam stipendiis persolvendis. Unde prædictus rex Boëtio de hoc scribens, inter cetera dicit: *Quapropter prudentia vestra lectionibus erudita dogmaticis scelestam falsitatem a consortio veritatis ejiciat, ne cui sit appetibile aliquid de illa integritate subducere.* Et quibusdam interpositis rursum inquit: *Mutari certe non debet, quod laborantibus datur, sed a quo actus fidelis exigitur, compensatio minuta præstetur.* Si vero Italici seu Romani tales mutationes finaliter fecerunt, sicut videtur ex quadam prava moneta veteri quæ quandoque reperitur in campis, hoc fuit forte una de causis quare eorum nobile dominium devenit ad nihilum. Sic igitur patet quod istæ mutationes tam male sunt quod de natura sua non sunt aliquatenus permittendæ.

**CAPITULUM XIX.** *De quibusdam inconvenientibus tangentibus principem, quæ sequuntur ex mutationibus monetarum.*

Multa et magna inconvenientia oriuntur ex taliter mutando monetas, quorum aliqua principalius respiciunt principem, alia

totam communitatem, et alia magis partes ipsius communitatis. Unde brevi tempore nuper transacto quam plurima talia in regno Francie visa sunt evenire, aliqua etiam jam tacta sunt ante quæ tamen expedit recitare. Primo namque nimis detestabile et nimis turpe est principi fraudem committere, monetam falsificare, aurum vocare quod non est aurum, et libram quod non est libra, et sic de talibus prius positis XII et XIII capitulis. Præterea sibi incumbit falsos monetarios condemnare. Quomodo igitur satis potest erubescere, si reperiatur in eo, quod in alio deberet turpissima morte punire! Rursum, magnum scandalum est sicut dicebatur VIII<sup>o</sup> capitulo et vile principi, quod moneta regni sui nunquam in eodem statu permanet, sed de die in diem variatur; et quandoque in uno loco plus valet quam in alio pro eodem tempore. Item, ssepiissime ignoratur his durantibus temporibus vel mutationibus, quantum valeat hoc numisma vel illud, et oportet mercari seu emere vel vendere monetam, seu altercari de precio, quod est contra ejus naturam; et sic rei quæ debet esse certissima nulla est certitudo, sed potius incerta et inordinata confusio in vituperium principiantis. Item, absurdum est et penitus alienum a regia nobilitate, prohibere cursum veræ et bona monetae regni, et ex cupiditate præcipere, imo cogere subditos ad utendum minus bona moneta, quasi velit dicere quod bona est mala, et e converso; cum tamen talibus dictum est a Domino per prophetam, *Væ vobis qui bonum dicitis malum, et malum bonum.* Et iterum dedecus est principi irrevereri prædecessores suos, nam quisque tenet ex dominico præcepto honorare parentes. Ipse autem progenitorum videtur detrahere honori, quando bonam monetam eorum abrogat, et facit eam cum eorum imagine scindere: et loco monete aureæ, quam ipsi fabricaverunt, facit monetam æneam in parte. Quod videtur fuisse figuratum in III<sup>o</sup> Regum, ubi legitur quod rex Roboam abstulit scuta aurea, quæ facerat pater ejus Salomon, pro quibus fecit scuta ænea. Idem quoque Roboam perdidit quinque partes populi sui, pro eo quod ipse voluit in principio nimis gravare subditos. Adhuc autem rex debet nimis abhorrire tyrannica facta, cuiusmodi est mutatio talis, ut prædictum est ssepe; quæ etiam est præjudicabilis et periculosa pro tota posteritate regali, sicut in sequentibus diffusus ostendetur.

**CAPITULUM XX. *De aliis inconvenientibus totam communitatem tangentibus.***

Inter multa inconvenientia ex mutatione monetae venientia, quæ totam communitatem respiciunt, unum est quod prius tangebatur capitulo xv principaliter, quia videlicet princeps per hoc posset ad se trahere quasi totam pecuniam communitatis, et nimis depauperare subjectos. Et quemadmodum quedam ægritudines chronicæ sunt aliis periculosiores, eo quod sunt minus sensibiles, ita talis exactio, quanto minus percipitur, tanto periculosius exercetur; non enim ita cito gravamen ipsius sentitur a populo,

sicut per unam aliam collectam. ] esse gravior, nulla generalior, nullum argentum propter tales mutationes in regno; quia non obstante custodiis allocantur. Homines enim tare ad loca, ubi eam credunt sequitur diminutio monetarum in extra regnum aliquotiens contrata in regno, et sic attrahunt sibi habere. Adhuc etiam forsitan in consumitur, fundendo eam et refici, ubi mutationes hujusmodi in monetabilis tripliciter minuitur oculorum. Igitur non possunt, ut videbatur, non exuberaret materia moneta et sic tandem princeps non habere de bona moneta. Item, propter monia seu divitiae naturales de exafferri, in quo moneta sic mutata partibus prædiligunt ad ea loca monetam certam et bonam. Ad regnum negotiatio mercatorum per tripli multipliciter impeditur; præterea reditus pecuniae, pensiones annuales non possunt bene et juste taxari. Item nec pecunia potest secure in talibus; imo multi nolunt ista chartales mutationes. Et tamen sufficientes mercatores et omnia prædicta sunt naturæ humanæ; et opposita sunt communitati civili.

CAPITULUM XXI. *De aliis in partem communem*

Quædam partes communitatis honorabilibus aut utilibus toti regibus, ad crescendum vel tractandum cuiusmodi sunt viri ecclesiastici, iudicatores, artifices, et similes. Sed aliqui vili questu, sicut campsores, metatores: quæ quidem negotiatio turpissima. Isti igitur qui sunt quasi quidam alii, sicut receptores et capiunt magnam partem emolumente mutationibus monetarum, et malicie contra Deum et justitiam, quoniam et tantis bonis indigni. Alii vero sunt optimæ partes illius communis et meliores subditos suos per istud

et tamen non totum lucrum venit ad ipsum, sed magnam partem habent isti predicti, quorum negotiatio vilis est et admixta cum fraude. Rursum, quando princeps non facit præscire populo tempus et modum futuræ, mutationis monetæ quam intendit facere, aliqui per cautelas aut amicos hoc secrete provident, et tunc emunt mercimonia pro moneta debili, et postea vendunt pro forti, et subito fiunt divites, et nimum lucrantur indebite contra naturalis mercationis legitimum cursum. Et videtur esse quodammodo genus monopolii, in præjudicium et damnum totius communitatis residue. Adhuc autem per tales mutationes necessary est redditus taxatos ad numerum pecunie aut injuste minui, aut injuste saltem augeri, sicut tactum fuit ante capitulo xi de mutatione appellationis monetæ. Item, princeps per tales diversificationes et sophistications monetarum dat malis occasionem faciendi falsam monetam, aut, quia minus est contra conscientiam eorum, ipsam falsificare, ex quo apparet eis quod ita princeps fecit aut quia eorum falsitas non ita cito deprehenditur, et possunt facilius et plura mala his stantibus perpetrare quam si semper curreret bona moneta. Preterea, istis durantibus, quam innumerabiles perplexitates, obscuritates, errores et inextricabiles difficultates accident in computis, demissis et receptis! Oriuntur etiam inde materiæ litigiorum, et variae quæstiones: mala persolutiones debitorum, fraudes, inordinationes, abusiones quam plurimæ, et inconvenientia multa, quæ nescirem explicare, forsan quibusdam enumeratis prius, majora et deteriora; neque mirum, quia, sicut ait Aristoteles, uno inconvenienti dato multa sequuntur, et hoc non est difficile videre.

**CAPITULUM XXII.** *Si communitas potest facere tales mutationes monetæ.*

Cum moneta sit communitatis, ut ostensum est capitulo sexto, videtur quod ipsa communitas possit de ea ad libitum ordinare. Ergo etiam eam potest quomodolibet variare, et super hoc capere quantum placeat, et de ea facere sicut de re sua, maxime autem si pro guerra vel pro redemptione sui principis de captivitate, vel aliquo tali casu fortuito, ipsa communitas indigeret una magna pecunie summa. Ipsa enim tunc posset eam levare per mutationem monetæ, nec esset contra naturam aut sicut usura, ex quo hoc non faceret princeps sed ipsa communitas cuius est ipsa moneta. Per hoc enim cessarent nec haberent hic locum multæ rationes prius factæ contra mutationes monetæ. Nec solum videtur quod communitas hoc facere potest, sed etiam quod hoc deberet ex quo necessaria est collecta, quoniam in tali mutatione aggregari videntur quasi omnes bonæ conditiones requisite in aliqua tallia seu collecta, nam in brevi tempore multum lucrum affert, facillima est ad colligendum et distribuendum seu assignandum sine occupatione multorum et sine fraude colligentium et cum parvis expensis. Nulla etiam potest imaginari magis æqualis seu proportionalis, quia fere qui plus potest, plus solvit,

et est secundum sui quanti  
bilis, et imo magis portabil  
murmure populi. Est enim  
neque nobilis ab ea se pote  
sicut multi volunt ab aliis  
sentiones, lites, scandala et  
veniunt ex tali mutatione 1  
potest et debet fieri per ips  
salvo meliore judicio, mihi v  
videlicet aut illa summa pec  
ferenda est vel exponenda in  
quibus non habetur commun  
ria monetabilis diu erit ex he  
tate. Et in isto casu potest  
vel in materia vel in mixtio  
esset postea facienda propte  
modum positum in capitulo 2  
ita magna vel si aliter expo  
materia monetabili non sit d  
propter istud, dico quod prei  
capitulo, adhuc sequentur  
superius explicata de tali n  
collecta; et potissime sequi  
vellet sibi hoc attribuere et  
entia prius dicta; nec obsta  
pecunia est communitatis, qu  
potest abuti re sua seu illici  
taliter mutaret monetas. E  
cumque faceret talem mutat  
reducenda est ad statum d  
debet captio lucri super istar

CAPITULUM XXIII. *In  
muta*

Solet dici quod in casu  
Ipse ergo de monetis regni  
videtur expediens accipere p  
seu pro defensione reipublic  
vero colligendi pecuniam peri  
veniens et idoneus ut proba  
præcedenti. Adhuc autem,  
taliter mutare monetas et  
sumere de jure ordinario vel  
ipse potest alio privato jure,  
ecclesia vel Imperatore Rom  
hereditarie concesso propter  
ipsius communitatis, ut pate  
sic mutare sicut dictum est  
munitas potest aut potuit a

principi concedere et se ipsam spoliare jure ordinationis et mutationis monetæ, et partem monetæ principi dare ab eo capiendam quomodo vellet. Item si de jure communi spectat ad communitatem ordinare de monetis ut dictum est sœpe, et ipsa propter discordiam multitudinis non potuit convenire in unum modum, nonne ipsa potuit in hoc condescendere quod totaliter dispositio monetæ ex tunc et de cætero staret in principis voluntate? Certe, sic et quod ratione hujus ipse caperet emolumentum in mutatione sive ordinatione monetæ. Item, in capitulo VII dicebatur quod certa pensio debet esse taxata pro factione monetæ et quod de et super illa pensione princeps potest aut debet aliquid habere. Ergo pari ratione potest habere vel accipere super hoc plus et plus, et per consequens tantum sicut per mutationem monetæ; ergo eodem modo per tales mutationes potest illud emolumentum levare. Item, oportet principem habere redditus certos et magnos super communitatem unde ipse possit tenere statum nobilem et honestum, prout decet magnificentiam principalem sive regiam majestatem. Oportet etiam quod isti redditus sint de dominio principis seu de jure proprio coronæ regalis. Possibile est ergo quod una et magna pars istorum reddituum olim fuerit assignata super factum monetarum taliter quod liceret principi lucrum recipere mutando monetas. Possibile est etiam quod isto dempto residui redditus numquam sufficientem pro statu principi pertinenti. Velle ergo amovere sibi potestatem mutandi monetas, sed hoc est contra honorem regni attentare, principem exhereditare, imo ipsum depauperare et statu magnificentiae destituere, non tam injuste quam etiam vituperabiliter pro tota communitate, quam non decet habere principem, nisi excellenti statu pollentem.

#### CAPITULUM XXIV. *Responso ad predicta et conclusio principalis.*

Quamvis in solutione primi argumenti forsan multæ difficultates possent occurrere, verumtamen breviter transeundo pro nunc occurrit mihi quod ne princeps fingeret talem necessitatem esse quando non est, sicut fingunt tyranni, ut dicit Aristoteles determinandum est per communitatem vel per valentiorem ejus partem, expresse vel tacite, quando qualis et quanta necessitas imminet. Expresse dico, quod ad hoc debet congregari communitas, si adsit facultas; tacite vero, si fuerit tam festina necessitas, quod populus vocari non possit, et tam evidens quod postea appareat notorie; tunc enim licet principi aliquid recipere de facultatibus subditorum non per mutationem monetæ, sed per modum mutui, de quo postea facienda est restitutio plenaria. Ad aliud cum dicitur, quod princeps potest habere privilegium mutandi monetas, primo non intromitto me de potentia papæ, sed puto quod nunquam hoc concesserit, nec concederet; quoniam sic ipse daret licentiam malefaciendi, quam nullus bene operando meretur accipere. De Imperatore autem Romano dico, quod ipse nulli principi potuit unquam privilegium dare faciendi illud quod

sibimet non liceret, sicut est talis mutatio monetæ, ut patet ex predictis. De communitate etiam dictum est in capitulo **xxii** quod ipsa non potest mutare monetas, nisi in certo casu, et tunc si ipsa committeret hoc principi cum limitatione rationabili, quæ potest ex eodem capitulo et aliis apparere, jam hoc non faceret princeps tanquam principalis auctor, sed sicut ordinatio publica executor. Ad aliud autem cum dicitur quod communitas cuius est moneta, potest se spoliare suo jure, et illud totum principi tradere, et sic totum jus monetæ devolveretur ad principem; primo videtur mihi quod hoc nunquam faceret communitas bene consulta; nec etiam sibi licet quomodolibet mutare monetas aut male uti re sua, ut dictum est capitulo **xxii**. Item, communitas civium, quæ naturaliter est libera, nunquam scienter se redigeret in servitutem, aut se subjiceret jugo tyrannicæ potestatis. Si igitur ipsa decepta, aut minis territa vel coacta, concedat principi tales mutationes, non advertens inconvenientia quæ sequuntur, et ex hoc serviliter se fore subjectam, ipsa potest hoc statim aut quomodolibet revocare. Item, res quæ spectat alicui quasi de jure naturali, non potest ad alterum juste transferri. Si autem pertinet moneta ipsi liberæ communitati, ut satis patet ex capitulis **i** et **vi**, sicut ergo communitas non potest concedere principi quod ipse habeat auctoritatem abutendi uxori-bus civium quibuscumque voluerit, ita non potest ei dare tale privilegium monetarum quo ipse non posset nisi male uti, exi-gendo tale lucrum super mutatione earum; ut satis patet ex multis præcedentibus capitulis. Per hoc etiam patet illud, quod addebatur ulterius de communitate non concordi in ordinatio-nemone, quæ potest condescendere, quantum ad hoc, in principiis arbitrio. Dico quod sic potest quantum ad aliqua et ad tempus, sed non sibi concedendo potestatem tanti lucri sumendi super indebitis mutationibus supradictis. Ad aliud argumentum sumptum ex capitulo **vii**, de hoc quod princeps potest aliquod emolumen-tum habere super monetam, respondetur faciliter, quod hoc est quasi quædam parva pensio et limitata, quæ non potest quantumlibet augeri per mutationes prædictas, sed stat sine mutatione quacumque. Ad aliud conceditur, quod princeps potest habere redditus, et debet habere magnificum et honestissi-mum statum; sed isti redditus possunt et debent alibi assignari et aliter sumi quam per tales mutationes indebitas ex quibus tanta mala et tot inconvenientia oriuntur, sicut ostensum est ante. Posito etiam, quod aliqua pars istorum reddituum est super monetam, ipsa tamen debet esse certæ et determinatae quantitatis, sicut supra quamlibet marcham quæ monetaretur, duo solidi, vel sic; et tunc istud esset absque quacumque mutatione sive lucri augmento irrationabili et enormi quod potest provenire ex de-testabilibus mutationibus sæpe dictis. De quibus universaliter concludendum est: quod princeps non potest eas facere aut taliter lucrum accipere, nec de jure communi seu ordinario, nec de privilegio sive dono, concessione, pacto, sive quavis alia auctoritate, vel alio modo quocumque, nec potest esse de suo

dominio, aut sibi quomodo libet pertinere. Item, quod istud sibi denegare non est ipsum exhaereditare, aut majestati regis contrarie, sicut mentiuntur falsiloqui adulatores, sophistici, et reipublice proditores. Rursum, cum princeps teneatur hoc non facere, ipse non meretur habere aliquam pensionem seu dominium pro abstinentia a tali abusiva exactione; hoc enim aliud non videtur esse nisi premium redemptionis a servitute, quod nullus rex aut bonus princeps debet a subditis exigere. Item, supposito et non concesso, quod ipse haberet privilegium capiendi aliquid supra monetam pro faciendo eam bonam et pro tenendo eam in eodem statu, adhuc etiam ipse deberet tale privilegium perdere in casu in quo tantum abuteretur quod ipse mutaret et falsificaret monetam pro suo lucro non minus cupide quam turpiter adaugendo.

### CAPITULUM XXV. *Quod Tyrannus non potest diu durare.*

In istis duobus capitulis intendo probare, quod exigere pecuniam per tales mutationes monetarum, est contra honorem regni, et in praetitum totalis regalis posteritatis. Sciendum est igitur, quod inter principatum regium et tyrranicum hoc interest, quod tyrannis plus diligit et plus querit proprium bonum quam commune conferens subditorum, et ad hoc nititur ut populum teneat sibi serviliter subjugatum; rex autem e contrario, utilitati private publicam praefert, et super omnia, post Deum et animam suam, diligit bonum et libertatem publicam subditorum. Et haec est vera utilitas et nobilitas principatus, cuius dominium tanto est nobilius, tanto melius, quanto est magis liberorum sive meliorum, ut ait Aristoteles, et eo diuturnius, quo in tali proposito intentio regis perseverat, dicente Cassiodoro, *disciplina imperandi est amare quod multis expedit.* Quotiens enim regnum in tyrannidem vergitur, non longo tempore post custoditur; quia per hoc ad diminutionem, translationem, aut perditionem omnimodam properatur, maxime in regione temperata et remota a servili barbaria, ubi sunt homines conversatione, moribus et natura liberi, non servi nec sub tyrannide per consuetudinem indurati, quibus servitus foret inexpediens, involuntaria, et oppressio tyrannica simpliciter violenta; ergo non diu permane, quia, sicut ait Aristoteles, *violentia citissime corrumpuntur.* Ideo dicit Tullius, *quod nulla vis imperii tanta est, quae premente metu possit esse diurna.* Et Seneca in tragœdiis inquit:

Violenta nemo imperia continuat diu,  
Moderata durant.

Unde principibus destitutis improperabat Dominus per prophetam dicens, *quod imperabant subditis cum austeritate et potentia.* Adhuc autem propositum aliter declaratur: ait enim Plutarchus ad Trajanum imperatorem, *quod respublica est corpus quoddam, quod divini numinis instar beneficio animatur, et summae aequitatis agitur nutu, et regitur quodam moderamine rationis.* Est igitur respublica sive regnum, sicut quoddam corpus huma-

num, et ita vult Aristoteles v Politicæ. Sicut igitur corpus disponitur, quando humores excessive fluunt in unum ejus brum, ita quod illud membrum saepe ex hoc inflatur et non ingrossatur, reliquis exsiccatis et nimis attenuatis, tollit debita proportio, neque tale corpus potest diu vivere; ita cetera miter est de communitate vel regno, quando divitiae ab una parte attrahuntur ultra modum. Communitas namque verum, cuius principantes, in comparatione ad subditos, quae ad divitias, potentiam et statum, enormiter crescunt, est monstrum unum, sicut unus homo, cuius caput est ita magnam grossum, quod non potest a reliquo debili corpore sustene. Quemadmodum igitur talis homo non potest sese juvare, sic diu vivere, ita neque regnum permanere poterit cuius prætrahit ad se divitias in excessu, sicut fit per mutationes motu patuit capitulo xx. Rursum, sicut in mixtione vocum placet aut delectat aequalitas nimia vel indebita, quæ totam cunctiam destruit et deturpat, imo requiritur propria inæqualitas et commensurata, qua perseverante eminenti blanda modulamina chori; sic etiam universaliter, quoad omnes partes communitatis, aequalitas possessionum vel potentiae convenit nec consonat, sed et nimia disparitas harmoniæ reipublicæ dissipat et corrumpt, ut patet per Aristotelem Politicæ. Potissime vero ipse princeps, qui est in regno viventem et vox principalis in cantu, si magnitudine excedat, reliqua communitate discordat, regalis politie melos tunc turbatum. Propter quod, secundum Aristotelem, adhuc est differentia inter regem et tyrannum. Tyrannus enim vult potentior tota communitate cui præsedit violenter, regis temperantia est tali moderamine temperata, quod ipse est maius atque potentior, quam aliquis ejus subditus, est tamen ipsa cum communitate inferior viribus et opibus, et sic in medio constans. Sed quia potestas regia communiter et leviter tendit majus, ideo maxima cautela adhibenda est et pervigil custodiō altissima et principalis prudentia requiritur ad eam prævandam, ne labatur ad tyrannidem, præcipue propter adulatores fallacias, qui semper principes ad tyranniam impulerunt, ut Aristoteles. Ipsi enim, ut in libro Esther legitur, aures prius simplices, et ex sua natura alios existimantes, callidae decipiunt, et eorum suggestionibus regum studia depravant. Sed quoniam eos evitare aut extirpare difficile est, ipse Aristoteles dat aliam regulam, per quam regnum potest longo tempore conservari. Et est, quod princeps non multum amplificet dominum supra subditos, exactiones, captiones non faciat, libertatem eis dimitiat aut concedat, nec eos impedit, neque utatur plenitudo potestatis, sed potentia legibus et consuetudinibus limitata vel regulata. Pauca enim, ut ait Aristoteles, sunt judicis a principis arbitrio relinquenda. Aristoteles enim adducit exemplum de Theopompo Lacedemoniorum rege, qui, cum multas potestatas atque tributa populo remisisset ab antecessoribus imposta, ipsius quidem uxori ploranti et improperanti, *turpe esse regnum minor*.

*emolumenti filii tradere quam suscepisset a patre, respondit dicens: trado diuturnius. O divinum oraculum! O quanti ponderis verbum, et in palatiis regiis literis aureis depingendum. Trado, inquit, diuturnius, ac si diceret: plus auxi regnum duratione temporis, quam sit diminutum moderatione potestatis. Ecce plusquam Salomon hic. Nam si Roboam, de quo supra memini, a patre suo Salomone regnum sic compositum recepisset et tenuisset, nunquam decem de duodecim tribubus Israel perdisset, nec sibi improperatum fuisse: Prophanasti semen tuum inducere iracundiam ad liberos tuos, et cæteris stultitiam tuam, ut faceres imperium bipartitum. Sic igitur ostensum est, quod dominium quod ex regno in tyrannidem vertitur, oportet ut celeriter finiatur.*

**CAPITULUM XXVI. Quod capere lucrum ex mutatione monetarum, prajudicat toti regali potestati.**

Declarare propono quod mutationes predictæ sunt contra honorem regis, et generi regio prajudicant. Pro quo tria præmitto: Primo, quod illud est in rege vituperabile, et successoribus ejus prajudicabile, per quod regnum perditioni disponitur, aut ut ad alienigenas transferatur; nec rex posset satis dolere vel fliere, quam esset ita infelix ita miserabilis, qui per negligentiam suam aut per malum regimen ejus aliquid faceret, unde ipse vel hæredes sui perderent regnum tot virtutibus auctum, tanto tempore gloriose servatum. Necnon in periculo animæ suæ gloriose foret, si ex defectu sui populus pateretur tot pestilentias, tot calamites et tantas, quot et quanta solent accidere in dissipatione sive in translatione regnorum.—Secundo, suppono quod per tyrannisationem regnum perditioni exponitur, sicut declaratum est in capitulo præcedenti. Et quoniam, sicut in Ecclesiastico scribitur, *Regnum a gente in gentem transferitur propter injusticias et contumelias, et diversos dolos, tyrannis autem injuriosa est et injusta.* Cum hoc etiam, ut ad specialia descendam, absit quod in tantum degeneraverint Francigenarum corda libera, quod voluntarie servi fiant, ideoque servitus eis imposita durare non potest, quoniam si magna sit tyrannorum potentia, est tamen liberis subditorum cordibus violenta, et adversus alienos invalida. Quicumque igitur dominos Franciæ ad hujusmodi regimen tyrannicum quocumque modo traherent, ipsi regnum magno discrimini exponerent, et ad terminum præpararent. Neque enim regum Franciæ generosa propago tyrannisare didicit, nec serviliter subjici populus Gallicus consuevit. Ideo, si regia proles a pristica virtute degenerat, procul dubio regnum perdet.—Tertio, suppono, tenuquam jam probatum et sèpius repetitum, quod capere vel augere lucrum super mutatione monetæ, est factum dolosum, tyrannicum et injustum, cum etiam non possit continuari in regno, quod quidem regnum non sit jam, quoad alia multa, in tyrannidem versum. Unde non solum inconvenientia sequuntur ex isto, sed oportet quædam mala alia

esse prævia, alia concomita  
consuli qui non sunt in in-  
fraudem et nequitiam tyran-  
rent principem ad hoc incli-  
recolligendo, quod res per q-  
turpis est et præjudicabilis r-  
et hæredibus suis, et hoc fuit  
et hoc fuit secundum, et ad l-  
ut dicitur tertium. Igitur e-  
est contra honorem regis, et p-  
quod erat probandum.

Hæc igitur, ut præmisi, si-  
tione prudentum. Nam, sec-  
plerumque dubia et incerta  
invenienda, his dictis volueri  
bene faciet; et si male locut-  
malo, sed cum ratione, ne i-  
condemnare, quod non potest.

*Explicit tractatus d*



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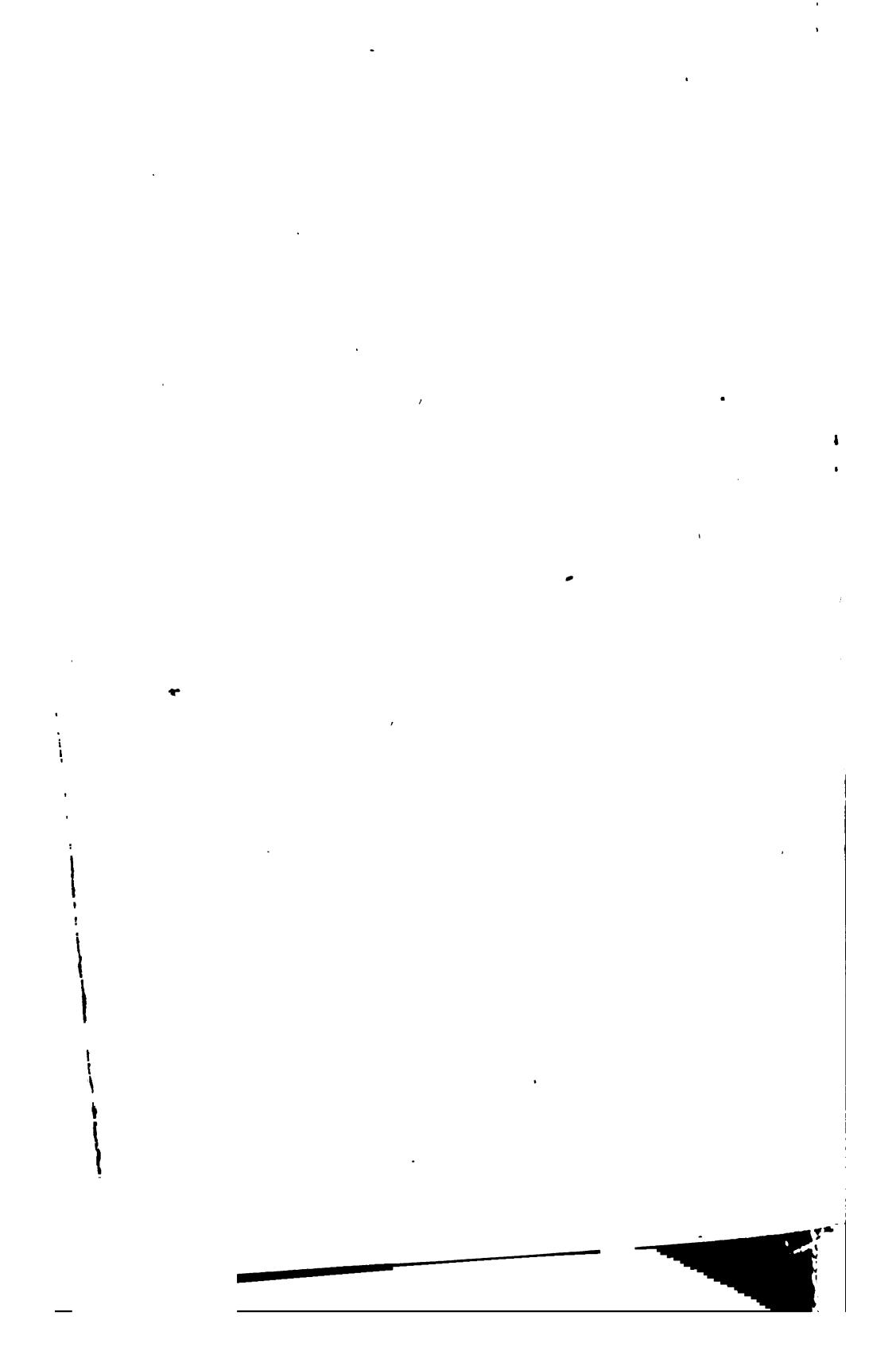
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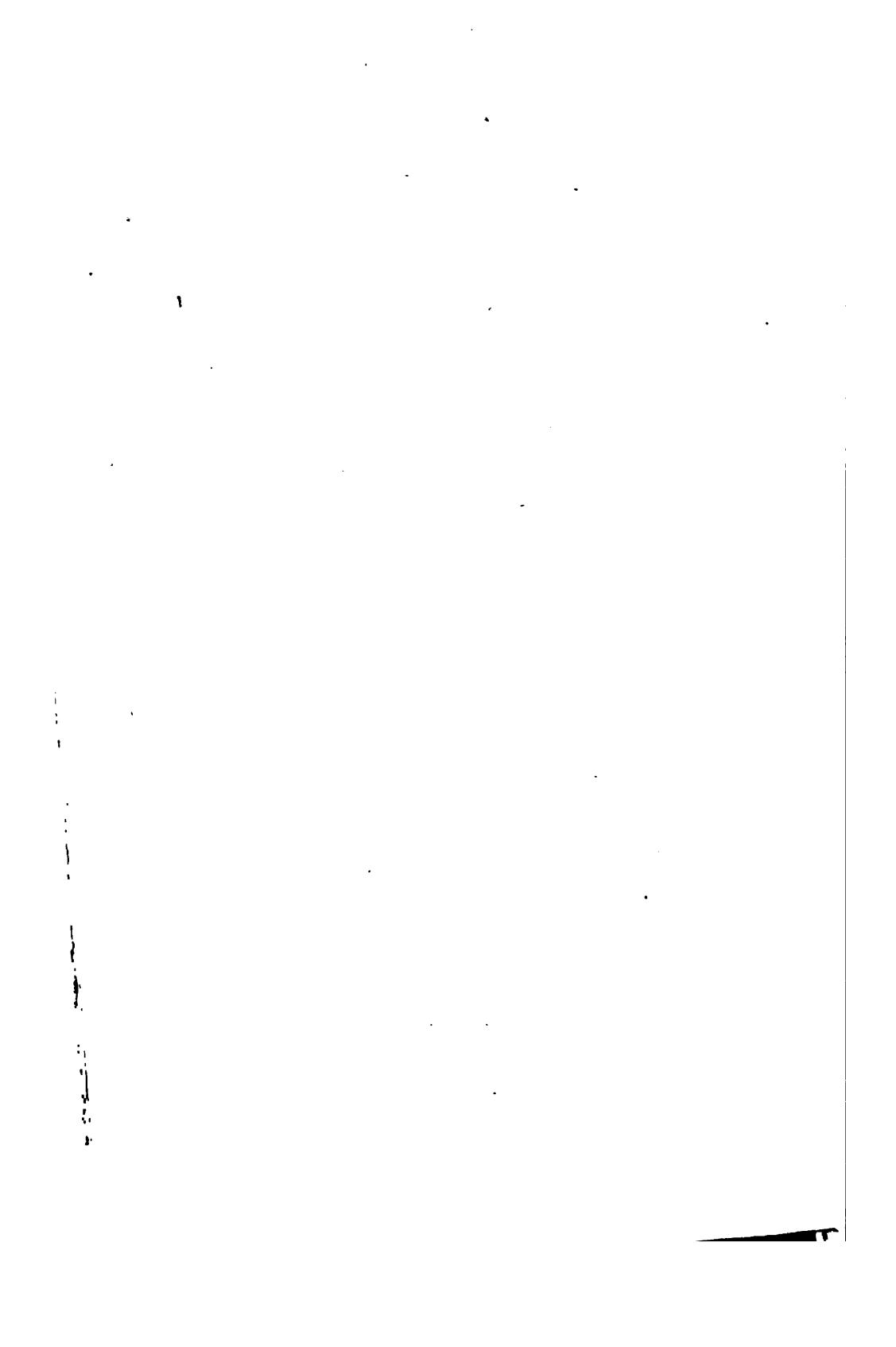
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